SA 436. Mr. COBURN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 782, supra.

SA 437. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 438. Mr. INHOFE (for himself, Mr. BLUNT, Mr. JOHANNS, Mr. COCHRAN, Mr. COATS, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 782, supra.

SA 439. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 440. Mr. MERKLEY proposed an amendment to the bill S. 782, supra.

SA 441. Mr. MCCAIN proposed an amendment to amendment SA 436 submitted by Mr. COBURN (for himself and Mr. CARDIN) to the bill S. 782, supra.

SA 442. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 443. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 444. Ms. SNOWE (for herself, Mrs. MCCASKILL, Mr. GRASSLEY, Mrs. HAGAN, Ms. COLLINS, Mr. MERKLEY, and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 445. Mr. COBURN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 446. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 447. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 448. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 449. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 450. Mr. COBURN (for himself, Ms. COLLINS, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 451. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 452. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 453. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 454. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 455. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 456. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 457. Ms. STABENOW (for herself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by her to the bill S. 782, supra; which was ordered to lie on the table.

SA 458. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 434. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, add the following:

SEC. 22. PERMANENT REAUTHORIZATION OF E-VERIFY.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking ''Unless the Congress otherwise provides, the Secretary shall terminate a pilot program on September 30, 2012.''.

SA 435. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows.

On page 29, after line 20, add the following:

SEC. 22. WATER QUALITY STANDARDS.

None of the amounts made available by this Act, the amendments made by this Act, or any other provision of law may be used to implement, administer, or enforce the final rule of the Environmental Protection Agency entitled ''Water Quality Standards for the State of Florida's Lakes and Flowing Waters'' (75 Fed. Reg. 75762 (December 6, 2010)).

SA 436. Mr. COBURN (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; as follows.

Beginning on page 17, strike line 14 and all that follows through page 18, line 10, and insert the following:

(a) BRIGHTFIELDS DEMONSTRATION PROGRAM.—Section 218 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3154d) is repealed.

(b) TERMINATION OF GLOBAL CLIMATE CHANGE MITIGATION INCENTIVE FUND.—Not later than 30 days after the date of enactment of this Act, the Secretary of Commerce shall terminate the Global Climate Change Mitigation Incentive Fund of the Department of Commerce.

SA 437. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows.

Beginning on page 17, strike line 14 and all that follows through page 18, line 10, and insert the following:

(a) BRIGHTFIELDS DEMONSTRATION PROGRAM.—Section 218 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3154d) is repealed.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 701(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231(a)) (as amended by section 19) is amended by striking ''$500,000,000'' and inserting''$150,000,000''.

(c) TERMINATION OF GLOBAL CLIMATE CHANGE MITIGATION INCENTIVE FUND.—Not later than 30 days after the date of enactment of this Act, the Secretary of Commerce shall terminate the Global Climate Change Mitigation Incentive Fund of the Department of Commerce.

SA 438. Mr. INHOFE (for himself, Mr. BLUNT, Mr. JOHANNS, Mr. COCHRAN, Mr. COATS, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; as follows:

At the end, add the following:

TITLE II—REGULATORY ASSESSMENT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Comprehensive Assessment of Regulations on the Economy Act of 2011''.

SEC. 202. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMITTEE.—The term ''Committee'' means the Cumulative Regulatory Assessment Committee established by section 203(a).

(3) FEDERAL REGULATORY MANDATE.—The term ''Federal regulatory mandate'' means any regulation, rule, requirement, or interpretative guidance that—

(A) is promulgated or issued (or is expected to be initiated) by the Administrator or a State or local government during the period beginning on January 1, 2010, and ending on January 1, 2020;

(B) applies to 1 or more impacted units; and

(C) implements any provision or requirement relating to—

(i) interstate or international transport of air pollution under section 110(a)(2)(D), 115, or 126(b) of the Clean Air Act (42 U.S.C. 7410(a)(2)(D), 7415, 7426(b)) with respect to any national ambient air quality standard, including—

(I) any standard that has been promulgated or proposed before July 1, 2011; and

(II) any new or revised standard for ozone or fine particulate matter that, as of the date of enactment of this Act, is currently under review or development by the Administrator; and

(ii) the attainment, or maintenance of attainment, of any national ambient air quality standard, including—

(I) any new or revised standard for ozone or fine particulate matter that, as of the date of enactment of this Act, is currently under review or development by the Administrator; and

(II) any other standard that has been promulgated or proposed before July 1, 2011;

(iii) new source performance standards under section 111 of the Clean Air Act (42 U.S.C. 7411), including any standards under subsection (d) of that section;

(iv) hazardous air pollutants under section 112 of the Clean Air Act (42 U.S.C. 7412);

(v) greenhouse gas emissions under titles I, II, and V of the Clean Air Act (42 U.S.C. 7401 et seq.), including the requirements for—

(I) new source performance standards under section 111 of the Clean Air Act (42 U.S.C. 7411), including any standards under subsection (d) of that section; and

(II) preconstruction review permits under section 165 of the Clean Air Act (42 U.S.C. 7475);

(vi) cooling water intake structures under section 316(b) of the Clean Water Act (33 U.S.C. 1326(b));

(vii) effluent guidelines for regulating the discharge of pollutants under section 304 of the Clean Water Act (33 U.S.C. 1314);

(viii) the handling and disposal of coal combustion residuals under subtitle C or D of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.);

(ix) the regulation of fuels under title II of the Clean Air Act (42 U.S.C. 7521 et seq.);

(x) regional haze or reasonably attributable visibility impairment under section 169A or section 169B of the Clean Air Act (42 U.S.C. 7491, 7492); and

(xi) any other environmental regulations expected to have a significant impact on the electric power sector, the petroleum refining sector, the petrochemical production sector, pipeline facilities regulated by the Department of Transportation or the Environmental Protection Agency, exploration, production, or transportation of oil and natural gas, or any other manufacturing sector.

(4) IMPACTED UNIT.—The term ''impacted unit'' means—

(A) any electric generating unit that sells electricity into the grid;

(B) any industrial, commercial, or institutional boiler or process heater;

(C) any petroleum refining facility that produces gasoline, heating oil, diesel fuel, jet fuel, kerosene, or petrochemical feedstocks;

(D) any petrochemical facility;

(E) any hydrocarbon exploration, extraction, manufacturing, production, or transportation facility; or

(F) any biofuel facility.

SEC. 203. CUMULATIVE REGULATORY ASSESSMENT COMMITTEE.

(a) ESTABLISHMENT.—There is established within the Department of Commerce a Committee, to be known as the ''Cumulative Regulatory Assessment Committee''.

(b) COMPOSITION OF COMMITTEE.—The Committee shall consist of the following officials (or designees of the officials):

(1) The Secretary of Agriculture.

(2) The Secretary of Commerce.

(3) The Secretary of Defense.

(4) The Chairperson of the Council of Economic Advisers.

(5) The Secretary of Energy.

(6) The Administrator.

(7) The Chairperson of the Federal Energy Regulatory Commission.

(8) The Secretary of Labor.

(9) The Administrator of the Office of Information and Regulatory Affairs.

(10) The President and Chief Executive Officer of the North American Electric Reliability Corporation.

(11) The Chief Counsel for Advocacy of the Small Business Administration.

(c) LEADERSHIP; OPERATIONS.—The Secretary of Commerce shall—

(1) serve as the Chairperson of the Committee; and

(2) be responsible for the executive and administrative operation of the Committee.

(d) IDENTIFICATION OF FEDERAL REGULATORY MANDATES.—Not later than 30 days after the date of enactment of this Act, the Administrator shall provide to the Committee a list of Federal regulatory mandates.

(e) DUTIES.—

(1) ASSESSMENT.—

(A) IN GENERAL.—The Committee shall perform an assessment of the cumulative energy and economic impacts of the Federal regulatory mandates in accordance with this subsection, including direct, indirect, quantifiable, and qualitative effects on—

(i) employment, including job levels in each segment of the economy and each region of the United States, including coal-producing regions;

(ii) economic development, including production levels and labor demands in manufacturing, commercial, and other sectors of the economy;

(iii) the electric power sector, including potential impacts on electric reliability, energy security, and retail electricity rates;

(iv) the domestic refining and petrochemical sector, including potential impacts on supply, international competitiveness, wholesale and retail transportation fuels, and heating oil and petrochemical prices;

(v) State and local governments, including potential impacts on governmental operations and local communities from any reductions in State and local tax revenues;

(vi) small businesses (as defined in section 601 of title 5, United States Code), including economic and regulatory impacts that could force the shutdown or limit the growth of small businesses;

(vii) agriculture, including economic and regulatory impacts that could force the shutdown, or limit growth or productive capacity, of the agricultural industry in the United States, including the domestic fertilizer manufacturing industry; and

(viii) energy-intensive, trade-exposed industry (as defined in North American Industry Classification System codes 31, 32, and 33) (including the beneficiation or processing (including agglomeration) of metal ores (including iron and copper ores), soda ash, or phosphate, petroleum refining, and petrochemicals production), including economic and regulatory impacts that could force the shutdown, or limit growth of productive capacity, of the United States manufacturing industry.

(B) COMPREHENSIVE ANALYSIS.—The assessment shall include a comprehensive analysis, for the period beginning on January 1, 2012, and ending on December 31, 2025, of the following matters:

(i) The impacted units that would likely retire due to the cumulative compliance costs of the Federal regulatory mandates.

(ii) The amount by which average retail electricity prices are forecasted to increase above inflation as a result of—

(I) the cumulative compliance costs of the Federal regulatory mandates;

(II) the retirement of electric generating units that are impacted units described in clause (i); and

(III) other direct and indirect impacts that are expected to result from the cumulative compliance obligations of the Federal regulatory mandates.

(iii) The amount by which average retail transportation fuel and heating oil prices are forecasted to increase above inflation as a result of—

(I) the cumulative compliance costs of the Federal regulatory mandates;

(II) the retirement or closure of domestic refineries that are impacted units described in clause (i);

(III) the likely foreign-sourced replacement for the transportation fuels and heating oil supplies loss caused by the retirements or closures identified under subclause (II); and

(IV) other direct and indirect impacts that are expected to result from the cumulative compliance obligations of the Federal regulatory mandates.

(iv) The amount by which average petrochemical prices are forecasted to increase above inflation as a result of—

(I) the cumulative compliance costs of the Federal regulatory mandates;

(II) the retirement or closure of domestic petrochemical facilities that are impacted units described in clause (i);

(III) the likely foreign-sourced replacement for the petrochemical supplies loss caused by the retirements or closures identified under subclause (II); and

(IV) other direct and indirect impacts that are expected to result from the cumulative compliance obligations of the Federal regulatory mandates.

(v) The direct and indirect adverse impacts on the economies of local communities that are projected to result from the retirement of impacted units described in clause (i) and increased retail electricity, transportation fuels, heating oil, and petrochemical prices that are forecasted under clause (ii), including—

(I) loss of jobs, including jobs that would be lost that relate directly or indirectly to coal production or petroleum refining;

(II) reduction in State and local tax revenues;

(III) harm to small businesses;

(IV) harm to consumers;

(V) reduction in—

(aa) the production and use of coal; and

(bb) the domestic production of transportation fuels, heating oil, and petrochemicals in the United States; and

(VI) other resulting adverse economic or energy impacts.

(vi) The extent to which the direct and indirect adverse economic impacts identified under clause (v) can be mitigated through the creation of additional jobs and new economic growth as a result of renewable energy projects, energy efficiency measures, and other such energy construction projects that are projected to be undertaken in order to meet future energy demands.

(vii) The cumulative effects of Federal regulatory mandates on the ability of industries and businesses in the United States to compete with industries and businesses in other countries, with respect to competitiveness in both domestic and foreign markets.

(viii) The regions of the United States that are forecasted to be—

(I) most affected from the direct and indirect adverse impacts from the retirement of impacted units and increased retail electricity, transportation fuels, heating oil, and petrochemicals price, as identified under clause (v); and

(II) least affected from such adverse impacts due to the creation of new jobs and economic growth that are expected to result directly and indirectly from the energy construction projects, as identified under clause (vi).

(ix) The cumulative effects of the Federal regulatory mandates on the electric power sector, including—

(I) adverse impacts on electric reliability that are expected to result from the retirement of electric generating units identified under clause (i);

(II) the geographical distribution of the projected adverse electric reliability impacts identified in subclause (I), according to the regions established by North American Electric Reliability Corporation; and

(III) an assessment of whether current plans to expand electricity generation and transmission capabilities for each particular region can be optimized to mitigate those projected adverse reliability impacts.

(x) Federal, State, and local policies that have been or will be implemented to foster a transition in energy infrastructure in the United States, including those policies that promote fuel diversity, affordable and reliable electricity, and energy security.

(2) CONSULTATION WITH STATE AND LOCAL GOVERNMENTS.—The Committee shall consult

with representatives of State and local governments—

(A) to identify potential adverse cumulative impacts of the Federal regulatory mandates that have unique or significant repercussions for each particular region of the United States; and

(B) to investigate opportunities and strategies for mitigating the adverse impacts and repercussions identified under subparagraph (A).

(3) METHODOLOGY.—The Committee shall—

(A) use the best available information and peer-reviewed economic models in performing the cumulative regulatory impact assessment under this subsection; and

(B) seek public comment on the cost, energy, and other modeling assumptions used in performing the assessment.

(4) PUBLIC NOTICE AND COMMENT.—The Committee shall provide public notice and the opportunity for comment on a draft cumulative regulatory impact assessment to be prepared under this subsection.

(5) REPORT TO CONGRESS AND STATES.—Not later than January 1, 2012, the Committee shall submit to Congress and the Governor of each State a detailed report of the cumulative assessment performed under this subsection.

SEC. 204. SAVINGS CLAUSE.

Nothing in this title confirms, modifies, or otherwise affects the statutory authority for adopting and implementing the Federal regulatory mandates.

SA 439. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. SENSE OF THE SENATE.

It is the sense of the Senate that, for each fiscal year for which amounts are appropriated to carry out programs authorized under this Act or the amendments made by this Act, if those amounts exceed the amounts appropriated to carry out the same programs in fiscal year 2007, other discretionary spending should be reduced by an amount that is equal to the difference between—

(1) the amounts appropriated to carry out programs authorized under this Act or the amendments made by this Act; and

(2) the amounts appropriated to carry out the same programs in fiscal year 2007.

SA 440. Mr. MERKLEY proposed an amendment to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; as follows:

At the end of the bill, add the following:

SEC. ___. LOW-COST ENERGY EFFICIENCY LOANS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PARTICIPANT.—The term ''eligible participant'' means a homeowner who receives financial assistance from a qualified financing entity to carry out energy efficiency or renewable energy improvements to an existing home or other residential building of the homeowner listed under subsection (d).

(2) PROGRAM.—The term ''program'' means the Energy Efficiency Loan Program established under subsection (b).

(3) QUALIFIED FINANCING ENTITY.—The term ''qualified financing entity'' means a State, political subdivision of a State, tribal government, electric utility, natural gas utility, nonprofit or community-based organization, energy service company, retailer, or any other qualified entity that—

(A) meets the eligibility requirements of this section; and

(B) is designated by the Governor of a State.

(4) QUALIFIED LOAN PROGRAM MECHANISM.—The term ''qualified loan program mechanism'' means a loan program that is—

(A) administered by a qualified financing entity; and

(B) principally funded—

(i) by funds provided by or overseen by a State; or

(ii) through the energy loan program of the Federal National Mortgage Association.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) ESTABLISHMENT.—The Secretary shall establish an Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for making qualified energy efficiency or renewable efficiency improvements listed under subsection (d).

(c) ELIGIBILITY OF QUALIFIED FINANCING ENTITIES.—To be eligible to participate in the program, a qualified financing entity shall—

(1) offer a financing product under which eligible participants may pay over time for the cost to the eligible participant (after all applicable Federal, State, local, and other rebates or incentives are applied) of making improvements listed under subsection (d);

(2) require all financed improvements to be performed by contractors in a manner that meets minimum standards established by the Secretary; and

(3) establish standard underwriting criteria to determine the eligibility of program applicants, which criteria shall be consistent with—

(A) with respect to unsecured consumer loan programs, standard underwriting criteria used under the energy loan program of the Federal National Mortgage Association; or

(B) with respect to secured loans or other forms of financial assistance, commercially recognized best practices applicable to the form of financial assistance being provided (as determined by the designated entity administering the program in the State).

(d) QUALIFIED ENERGY EFFICIENCY OR RENEWABLE ENERGY IMPROVEMENTS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall publish a list of energy efficiency or renewable energy improvements to existing homes that qualify under the program.

(e) ALLOCATION.—In making funds available to States for each fiscal year under this section, the Secretary shall use the formula used to allocate funds to States to carry out State energy conservation plans established under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(f) QUALIFIED FINANCING ENTITIES.—Before making funds available to a State under this section, the Secretary shall require the Governor of the State to provide to the Secretary a letter of assurance that the State—

(1) has 1 or more qualified financing entities that meet the requirements of this section;

(2) has established a qualified loan program mechanism that—

(A) includes a methodology to ensure credible energy savings or renewable energy generation;

(B) incorporates an effective repayment mechanism, which may include—

(i) on-utility-bill repayment;

(ii) tax assessment or other form of property assessment financing;

(iii) municipal service charges;

(iv) energy or energy efficiency services contracts;

(v) energy efficiency power purchase agreements;

(vi) unsecured loans applying the underwriting requirements of the energy loan program of the Federal National Mortgage Association; or

(vii) alternative contractual repayment mechanisms that have been demonstrated to have appropriate risk mitigation features; and

(C) will provide, in a timely manner, all information regarding the administration of the program as the Secretary may require to permit the Secretary to meet the reporting requirements of subsection (i).

(g) USE OF FUNDS.—Funds made available to States under the program may be used to support financing products offered by qualified financing entities to eligible participants for eligible energy efficiency work, by providing—

(1) interest rate reductions;

(2) loan loss reserves or other forms of credit enhancement;

(3) revolving loan funds from which qualified financing entities may offer direct loans; or

(4) other debt instruments or financial products necessary—

(A) to maximize leverage provided through available funds; and

(B) to support widespread deployment of energy efficiency finance programs.

(h) USE OF REPAYMENT FUNDS.—In the case of a revolving loan fund established by a State described in subsection (g)(3), a qualified financing entity may use funds repaid by eligible participants under the program to provide financial assistance for additional eligible participants to make improvements listed under subsection (d) in a manner that is consistent with this section or other such criteria as are prescribed by the State.

(i) PROGRAM EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a program evaluation that describes—

(1) how many eligible participants have participated in the program;

(2) how many jobs have been created through the program, directly and indirectly;

(3) what steps could be taken to promote further deployment of energy efficiency and renewable energy retrofits;

(4) the quantity of verifiable energy savings, homeowner energy bill savings, and other benefits of the program; and

(5) the performance of the programs carried out by qualified financing entities under this section, including information on the rate of default and repayment.

(j) CREDIT SUPPORT FOR FINANCING PROGRAMS.—Section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516) is amended—

(1) in subsection (a), by adding at the end the following:

''(4) Energy efficiency projects, including projects to retrofit residential, commercial, and industrial buildings, facilities, and equipment, including financing programs that finance the retrofitting of residential, commercial, and industrial buildings, facilities, and equipment.''.

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following:

''(e) CREDIT SUPPORT FOR FINANCING PROGRAMS.—

''(1) IN GENERAL.—In the case of programs that finance the retrofitting of residential, commercial, and industrial buildings, facilities, and equipment described in subsection (a)(4), the Secretary may—

''(A) offer loan guarantees for portfolios of debt obligations; and

''(B) purchase or make commitments to purchase portfolios of debt obligations.

''(2) TERM.—Notwithstanding section 1702(f), the term of any debt obligation that receives credit support under this subsection shall require full repayment over a period not to exceed the lesser of—

''(A) 30 years; and

''(B) the projected weighted average useful life of the measure or system financed by the debt obligation or portfolio of debt obligations (as determined by the Secretary).

''(3) UNDERWRITING.—The Secretary may—

''(A) delegate underwriting responsibility for portfolios of debt obligations under this subsection to financial institutions that meet qualifications determined by the Secretary; and

''(B) determine an appropriate percentage of loans in a portfolio to review in order to confirm sound underwriting.

''(4) ADMINISTRATION.—Subsections (c) and (d)(3) of section 1702 and subsection (c) of this section shall not apply to loan guarantees made under this subsection.''.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section and the amendments made by this section such sums as are necessary.

SA 441. Mr. MCCAIN proposed an amendment to amendment SA 436 submitted by Mr. COBURN to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; as follows.

At the appropriate place insert the following:

SEC. ___. PROHIBITION ON USE OF FEDERAL FUNDS TO CONSTRUCT ETHANOL BLENDER PUMPS OR ETHANOL STORAGE FACILITIES.

Effective beginning on the date of enactment of this Act, no funds made available by Federal law (including funds in any trust fund to which funds are made by Federal law) shall be expended for the construction of an ethanol blender pump or an ethanol storage facility.

SA 442. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows.

On page 29, after line 20, add the following:

SEC. 22. REQUIREMENTS WITH RESPECT TO BISPHENOL A.

(a) SHORT TITLE.—This section may be cited as the ''Ban Poisonous Additives Act of 2011''.

(b) REQUIREMENTS WITH RESPECT TO BISPHENOL A.—

(1) BAN ON USE OF BISPHENOL A IN FOOD AND BEVERAGE CONTAINERS FOR CHILDREN.—

(A) BABY FOOD; UNFILLED BABY BOTTLES AND CUPS.—Section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342) is amended by adding at the end the following:

''(j)(1) If it is a food intended for children 3 years of age or younger, the container of which (including the lining of such container) is composed, in whole or in part, of bisphenol A.

''(2) If it is a baby bottle or cup that is composed, in whole or in part, of bisphenol A.''.

(B) DEFINITION.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

''(ss) BABY BOTTLE OR CUP.—For purposes of section 402(j), the term 'baby bottle or cup' means a bottle or cup that—

''(1) is intended to aid in the feeding or providing of drink to children 3 years of age or younger; and

''(2) does not contain a food when such bottle or cup is sold or distributed at retail.''.

(C) EFFECTIVE DATES.—

(i) BABY FOOD.—Section 402(j)(1) of the Federal Food, Drug, and Cosmetic Act, as added by subparagraph (A), shall take effect 1 year after the date of enactment of this Act.

(ii) UNFILLED BABY BOTTLES AND CUPS.—Section 402(j)(2) of the Federal Food, Drug, and Cosmetic Act, as added by subparagraph (A), shall take effect 180 days after the date of enactment of this Act.

(2) BAN ON USE OF BISPHENOL A IN INFANT FORMULA CONTAINERS.—

(A) IN GENERAL.—Section 412(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a(a)) is amended—

(i) in paragraph (2), by striking '', or'' and inserting '','';

(ii) in paragraph (3), by striking the period at the end and inserting '', or''; and

(iii) by adding at the end the following:

''(4) the container of such infant formula (including the lining of such container and, in the case of infant formula powder, excluding packaging on the outside of the container that does not come into contact with the infant formula powder) is composed, in whole or in part, of bisphenol A.''.

(B) EFFECTIVE DATE.—The amendments made by subparagraph (A) shall take effect 18 months after the date of enactment of this Act.

(3) REGULATION OF OTHER CONTAINERS COMPOSED OF BISPHENOL A.—

(A) SAFETY ASSESSMENT OF PRODUCTS COMPOSED OF BPA.—Not later than December 1, 2012, the Secretary of Health and Human Services (referred to in this Act as the ''Secretary'') shall issue a revised safety assessment for food containers composed, in whole or in part, of bisphenol A, taking into consideration different types of such food containers and the use of such food containers with respect to different foods, as appropriate.

(B) SAFETY STANDARD.—Through the safety assessment described in paragraph (1), and taking into consideration the requirements of section 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348) and section 170.3(i) of title 21, Code of Federal Regulations, the Secretary shall determine whether there is a reasonable certainty that no harm will result from aggregate exposure to bisphenol A through food containers or other items composed, in whole or in part, of bisphenol A, taking into consideration potential adverse effects from low dose exposure, and the effects of exposure on vulnerable populations, including pregnant women, infants, children, the elderly, and populations with high exposure to bisphenol A.

(C) APPLICATION OF SAFETY STANDARD TO ALTERNATIVES.—The Secretary shall use the safety standard described under subparagraph (B) to evaluate the proposed uses of alternatives to bisphenol A.

(4) SAVINGS PROVISION.—Nothing in this section shall affect the right of a State, political subdivision of a State, or Indian Tribe to adopt or enforce any regulation, requirement, liability, or standard of performance that is more stringent than a regulation, requirement, liability, or standard of performance under this section or that—

(A) applies to a product category not described in this section; or

(B) requires the provision of a warning of risk, illness, or injury associated with the use of food containers composed, in whole or in part, of bisphenol A.

(5) DEFINITION.—For purposes of this section, the term ''container'' includes the lining of a container.

SA 443. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, add the following:

SEC. 22. PROTECTION OF CONSUMERS FROM EXCESSIVE, UNJUSTIFIED, OR UNFAIRLY DISCRIMINATORY RATES.

(a) SHORT TITLE.—This section may be cited as the ''Health Insurance Rate Review Act''.

(b) PROTECTION OF CONSUMERS FROM EXCESSIVE, UNJUSTIFIED, OR UNFAIRLY DISCRIMINATORY RATES.—

(1) IN GENERAL.—The first section 2794 of the Public Health Service Act (42 U.S.C. 300gg–94), as added by section 1003 of the Patient Protection and Affordable Care Act (Public Law 111–148), is amended by adding at the end the following new subsection:

''(e) PROTECTION FROM EXCESSIVE, UNJUSTIFIED, OR UNFAIRLY DISCRIMINATORY RATES.—

''(1) AUTHORITY OF STATES.—Nothing in this section shall be construed to prohibit a State from imposing requirements (including requirements relating to rate review standards and procedures and information reporting) on health insurance issuers with respect to rates that are in addition to the requirements of this section and are more protective of consumers than such requirements.

''(2) CONSULTATION IN RATE REVIEW PROCESS.—In carrying out this section, the Secretary shall consult with the National Association of Insurance Commissioners and consumer groups.

''(3) DETERMINATION OF WHO CONDUCTS REVIEWS FOR EACH STATE.—The Secretary shall determine, after the date of enactment of this section and periodically thereafter, the following:

''(A) In which States the State insurance commissioner or relevant State regulator shall undertake the corrective actions under paragraph (4), as a condition of the State receiving the grant in subsection (c), based on the Secretary's determination that the State is adequately prepared to undertake and is adequately undertaking such actions.

''(B) In which States the Secretary shall undertake the corrective actions under paragraph (4), in cooperation with the relevant State insurance commissioner or State regulator, based on the Secretary's determination that the State is not adequately prepared to undertake or is not adequately undertaking such actions.

''(4) CORRECTIVE ACTION FOR EXCESSIVE, UNJUSTIFIED, OR UNFAIRLY DISCRIMINATORY RATES.—In accordance with the process established under this section, the Secretary or the relevant State insurance commissioner or State regulator shall take corrective actions to ensure that any excessive, unjustified, or unfairly discriminatory rates are corrected prior to implementation through mechanisms such as—

''(A) denying rates;

''(B) modifying rates; or

''(C) requiring rebates to consumers.''.

(2) CLARIFICATION OF REGULATORY AUTHORITY.—Such section is further amended—

(A) in subsection (a)—

(i) in the heading, by striking ''PREMIUM'' and inserting ''RATE'';

(ii) in paragraph (1), by striking ''unreasonable increases in premiums'' and inserting ''potentially excessive, unjustified, or unfairly discriminatory rates, including premiums,''; and

(iii) in paragraph (2)—

(I) by striking ''an unreasonable premium increase'' and inserting ''a potentially excessive, unjustified, or unfairly discriminatory rate'';

(II) by striking ''the increase'' and inserting ''the rate''; and

(III) by striking ''such increases'' and inserting ''such rates'';

(B) in subsection (b)—

(i) by striking ''premium increases'' each place it appears and inserting ''rates''; and

(ii) in paragraph (2)(B), by striking ''premium'' and inserting ''rate''; and

(C) in subsection (c)(1)—

(i) in the heading, by striking ''PREMIUM'' and inserting ''RATE'';

(ii) by inserting ''that satisfy the condition under subsection (e)(3)(A)'' after ''award grants to States''; and

(iii) in subparagraph (A), by striking ''premium increases'' and inserting ''rates''.

(3) CONFORMING AMENDMENT.—Title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.) is amended—

(A) in section 2723 (42 U.S.C. 300gg-22), as redesignated by the Patient Protection and Affordable Care Act—

(i) in subsection (a)—

(I) in paragraph (1), by inserting ''and section 2794'' after ''this part''; and

(II) in paragraph (2), by inserting ''or section 2794'' after ''this part''; and

(ii) in subsection (b)—

(I) in paragraph (1), by inserting ''and section 2794'' after ''this part''; and

(II) in paragraph (2)—

(aa) in subparagraph (A), by inserting ''or section 2794 that is'' after ''this part'' ; and

(bb) in subparagraph (C)(ii), by inserting ''or section 2794'' after ''this part''; and

(B) in section 2761 (42 U.S.C. 300gg-61)—

(i) in subsection (a)—

(I) in paragraph (1), by inserting ''and section 2794'' after ''this part''; and

(II) in paragraph (2)—

(aa) by inserting ''or section 2794'' after ''set forth in this part''; and

(bb) by inserting ''and section 2794'' after ''the requirements of this part''; and

(ii) in subsection (b)—

(I) by inserting ''and section 2794'' after ''this part''; and

(II) by inserting ''and section 2794'' after ''part A''.

(4) APPLICABILITY TO GRANDFATHERED PLANS.—Section 1251(a)(4)(A) of the Patient Protection and Affordable Care Act (Public Law 111–148), as added by section 2301 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), is amended by adding at the end the following:

''(v) Section 2794 (relating to reasonableness of rates with respect to health insurance coverage).''.

(5) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

SA 444. Ms. SNOWE (for herself, Mrs. MCCASKILL, Mr. GRASSLEY, Mrs. HAGAN, Ms. COLLINS, Mr. MERKLEY, and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—CONTRACTING FRAUD PREVENTION

SECTION ___1. SHORT TITLE.

This title may be cited as the ''Small Business Contracting Fraud Prevention Act of 2011''.

SEC. ___2. DEFINITIONS.

In this title—

(1) the term ''8(a) program'' means the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(2) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(3) the terms ''HUBZone'' and ''HUBZone small business concern'' and ''HUBZone map'' have the meanings given those terms in section 3(p) of the Small Business Act (15 U.S.C. 632(p)), as amended by this Act;

(4) the term ''recertification'' means a determination by the Administrator that a business concern that was previously determined to be a qualified HUBZone small business concern is a qualified HUBZone small business concern under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)); and

(5) the term ''small business concern'' has the meaning given that term under section 3 of the Small Business Act (15 U.S.C. 632).

SEC. ___3. FRAUD DETERRENCE AT THE SMALL BUSINESS ADMINISTRATION.

Section 16 of the Small Business Act (15 U.S.C. 645) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Whoever'' and all that follows through ''oneself or another'' and inserting the following: ''A person shall be subject to the penalties and remedies described in paragraph (2) if the person misrepresents the status of any concern or person as a 'small business concern', a 'qualified HUBZone small business concern', a 'small business concern owned and controlled by socially and economically disadvantaged individuals', a 'small business concern owned and controlled by women', or a 'small business concern owned and controlled by service-disabled veterans', in order to obtain for any person'';

(ii) by amending subparagraph (A) to read as follows:

''(A) prime contract, subcontract, grant, or cooperative agreement to be awarded under subsection (a) or (m) of section 8, or section 9, 15, 31, or 36;'';

(iii) by striking subparagraph (B);

(iv) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(v) in subparagraph (C), as so redesignated, by striking '', shall be'' and all that follows and inserting a period;

(B) in paragraph (2)—

(i) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(ii) by inserting after subparagraph (B) the following:

''(C) be subject to the civil remedies and penalties under subchapter III of chapter 37 of title 31, United States Code (commonly known as the 'False Claims Act');''; and

(C) by adding at the end the following:

''(3)(A) In the case of a violation of paragraph (1)(A), (g), or (h), for purposes of a proceeding described in subparagraph (A) or (C) of paragraph (2), the amount of the loss to the Federal Government or the damages sustained by the Federal Government, as applicable, shall be an amount equal to the amount that the Federal Government paid to the person that received a contract, grant, or cooperative agreement described in paragraph (1)(A), (g), or (h), respectively.

''(B) In the case of a violation of subparagraph (B) or (C) of paragraph (1), for the purpose of a proceeding described in subparagraph (A) or (C) of paragraph (2), the amount of the loss to the Federal Government or the damages sustained by the Federal Government, as applicable, shall be an amount equal to the portion of any payment by the Federal Government under a prime contract that was used for a subcontract described in subparagraph (B) or (C) of paragraph (1), respectively.

''(C) In a proceeding described in subparagraph (A) or (B), no credit shall be applied against any loss or damages to the Federal Government for the fair market value of the property or services provided to the Federal Government.'';

(2) by striking subsection (e) and inserting the following:

''(e) Any representation of the status of any concern or person as a 'small business concern', a 'qualified HUBZone small business concern', a 'small business concern owned and controlled by socially and economically disadvantaged individuals', a 'small business concern owned and controlled by women', or a 'small business concern owned and controlled by service-disabled veterans', in order to obtain any prime contract, subcontract, grant, or cooperative agreement described in subsection (d)(1) shall be made in writing or through the Online Representations and Certifications Application process required under section 4.1201 of the Federal Acquisition Regulation, or any successor thereto.''; and

(3) by adding at the end the following:

''(g) A person shall be subject to the penalties and remedies described in subsection (d)(2) if the person misrepresents the status of any concern or person as a 'small business concern', a 'qualified HUBZone small business concern', a 'small business concern owned and controlled by socially and economically disadvantaged individuals', a 'small business concern owned and controlled by women', or a 'small business concern owned and controlled by service-disabled veterans'—

''(1) in order to allow any person to participate in or be admitted to any program of the Administration; or

''(2) in relation to a protest of a contract award or proposed contract award made under regulations issued by the Administration.

''(h)(1) A person that submits a request for payment on a contract or subcontract that is awarded under subsection (a) or (m) of section 8, or section 9, 15, 31, or 36, shall be deemed to have submitted a certification that the person complied with regulations issued by the Administration governing the percentage of work that the person is required to perform on the contract or subcontract, unless the person states, in writing, that the person did not comply with the regulations.

''(2) A person shall be subject to the penalties and remedies described in subsection (d)(2) if the person—

''(A) uses the services of a business other than the business awarded the contract or subcontract to perform a greater percentage of work under a contract than is permitted by regulations issued by the Administration; or

''(B) willfully participates in a scheme to circumvent regulations issued by the Administration governing the percentage of work that a contractor is required to perform on a contract.''.

SEC. ___4. VETERANS INTEGRITY IN CONTRACTING.

(a) DEFINITION.—Section 3(q)(1) of the Small Business Act (15 U.S.C. 632(q)(1)) is amended by striking ''means a veteran'' and all that follows and inserting the following: ''means—

''(A) a veteran who possesses a disability rating letter establishing a service-connected disability rated by the Secretary of Veterans Affairs as zero percent or more disabling; or

''(B) a former member of the Armed Forces with a service connected disability who, under chapter 61 of title 10, United States Code, is placed on the temporary disability retired list, retired from service due to a physical disability, or separated from service due to a physical disability.''.

(b) VETERANS CONTRACTING.—Section 4 of the Small Business Act (15 U.S.C. 633) is amended by adding at the end the following:

''(g) VETERAN STATUS.—

''(1) IN GENERAL.—A business concern seeking status as a small business concern owned and controlled by service-disabled veterans shall—

''(A) submit an annual certification indicating that the business concern is a small business concern owned and controlled by service-disabled veterans by means of the Online Representations and Certifications Application process required under section 4.1201 of the Federal Acquisition Regulation, or any successor thereto; and

''(B) register with—

''(i) the Central Contractor Registration database maintained under subpart 4.11 of the Federal Acquisition Regulation, or any successor thereto; and

''(ii) the VetBiz database of the Department of Veterans Affairs, or any successor thereto.

''(2) VERIFICATION OF STATUS.—

''(A) VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall determine whether a business concern registered with the VetBiz database of the Department of Veterans Affairs, or any successor thereto, as a small business concern owned and controlled by veterans or a small business concern owned and controlled by service-disabled veterans is owned and controlled by a veteran or a service-disabled veteran, as the case may be.

''(B) FEDERAL AGENCIES GENERALLY.—The head of each Federal agency shall—

''(i) for a sole source contract awarded to a small business concern owned and controlled by service-disabled veterans or a contract awarded with competition restricted to small business concerns owned and controlled by service-disabled veterans under section 36, determine whether a business concern submitting a proposal for the contract is a small business concern owned and controlled by service-disabled veterans; and

''(ii) use the VetBiz database of the Department of Veterans Affairs, or any successor thereto, in determining whether a business concern is a small business concern owned and controlled by service-disabled veterans.

''(3) DEBARMENT AND SUSPENSION.—If the Administrator determines that a business concern knowingly and willfully misrepresented that the business concern is a small business concern owned and controlled by service-disabled veterans, the Administrator may debar or suspend the business concern from contracting with the United States.''.

(c) INTEGRATION OF DATABASES.—Not later than 1 year after the date of enactment of this Act, the Administrator for Federal Procurement Policy and the Secretary of Veterans Affairs shall ensure that data is shared on an ongoing basis between the VetBiz database of the Department of Veterans Affairs and the Central Contractor Registration database maintained under subpart 4.11 of the Federal Acquisition Regulation.

SEC. ___5. SECTION 8(a) PROGRAM IMPROVEMENTS.

(a) REVIEW OF EFFECTIVENESS.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended by adding at the end the following:

''(22) Not later than 3 years after the date of enactment of this paragraph, and every 3 years thereafter, the Comptroller General of the United States shall—

''(A) conduct an evaluation of the effectiveness of the program under this subsection, including an examination of—

''(i) the number and size of contracts applied for, as compared to the number received by, small business concerns after successfully completing the program;

''(ii) the percentage of small business concerns that continue to operate during the 3-year period beginning on the date on which the small business concerns successfully complete the program;

''(iii) whether the business of small business concerns increases during the 3-year period beginning on the date on which the small business concerns successfully complete the program; and

''(iv) the number of training sessions offered under the program; and

''(B) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding each evaluation under subparagraph (A).''.

(b) OTHER IMPROVEMENTS.—

(1) IMPROVEMENTS.—In order to improve the 8(a) program, the Administrator shall—

(A) not later than 90 days after the date of enactment of this Act, begin to—

(i) evaluate the feasibility of—

(I) using additional third-party data sources;

(II) making unannounced visits of sites that are selected randomly or using risk-based criteria;

(III) using fraud detection tools, including data-mining techniques; and

(IV) conducting financial and analytical training for the business opportunity specialists of the Administration;

(ii) evaluate the feasibility and advisability of calculating the adjusted net worth or total assets of an individual for purposes of the 8(a) program in a manner that includes assets held by the spouse of the individual; and

(iii) develop a more consistent enforcement strategy that includes the suspension or debarment of contractors that knowingly make misrepresentations in order to qualify for the 8(a) program; and

(B) not later than 1 year after the date on which the Comptroller General submits the report under section 8(a)(22)(B) of the Small Business Act, as added by subsection (a), issue, in final form, proposed regulations of the Administration that—

(i) determine the economic disadvantage of a participant in the 8(a) program based on the income and asset levels of the participant at the time of application and annual recertification for the 8(a) program; and

(ii) require a small business concern to provide additional certifications designed to prevent fraud in order to participate in the 8(a) program if an immediate family member of an owner of the small business concern is, or has been, a participant in the 8(a) program, in the same industry.

(2) DEFINITION.—In this subsection, the term ''immediate family member'' means a father, mother, husband, wife, son, daughter, brother, sister, grandfather, grandmother, grandson, granddaughter, father-in-law, and mother-in-law.

SEC. ___6. HUBZONE IMPROVEMENTS.

(a) PURPOSE.—The purpose of this section is to reform and improve the HUBZone program of the Administration.

(b) IN GENERAL.—The Administrator shall—

(1) ensure the HUBZone map is—

(A) accurate and up-to-date; and

(B) revised as new data is made available to maintain the accuracy and currency of the HUBZone map;

(2) implement policies for ensuring that only HUBZone small business concerns determined to be qualified under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)) are participating in the HUBZone program, including through the appropriate use of technology to control costs and maximize, among other benefits, uniformity, completeness, simplicity, and efficiency;

(3) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding any application to be designated as a HUBZone small business concern or for recertification for which the Administrator has not made a determination as of the date that is 60 days after the date on which the application was submitted or initiated, which shall include a plan and timetable for ensuring the timely processing of the applications; and

(4) develop measures and implement plans to assess the effectiveness of the HUBZone program that—

(A) require the identification of a baseline point in time to allow the assessment of economic development under the HUBZone program, including creating additional jobs; and

(B) take into account—

(i) the economic characteristics of the HUBZone; and

(ii) contracts being counted under multiple socioeconomic subcategories.

(c) EMPLOYMENT PERCENTAGE.—Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (5), by adding at the end the following:

''(E) EMPLOYMENT PERCENTAGE DURING INTERIM PERIOD.—

''(i) DEFINITION.—In this subparagraph, the term 'interim period' means the period beginning on the date on which the Administrator determines that a HUBZone small business concern is qualified under subparagraph (A) and ending on the day before the date on which a contract under the HUBZone program for which the HUBZone small business concern submits a bid is awarded.

''(ii) INTERIM PERIOD.—During the interim period, the Administrator may not determine that the HUBZone small business is not qualified under subparagraph (A) based on a failure to meet the applicable employment percentage under subparagraph (A)(i)(I), unless the HUBZone small business concern—

''(I) has not attempted to maintain the applicable employment percentage under subparagraph (A)(i)(I); or

''(II) does not meet the applicable employment percentage—

''(aa) on the date on which the HUBZone small business concern submits a bid for a contract under the HUBZone program; or

''(bb) on the date on which the HUBZone small business concern is awarded a contract under the HUBZone program.''; and

(2) by adding at the end the following:

''(8) HUBZONE PROGRAM.—The term 'HUBZone program' means the program established under section 31.

''(9) HUBZONE MAP.—The term 'HUBZone map' means the map used by the Administration to identify HUBZones.''.

(d) REDESIGNATED AREAS.—Section 3(p)(4)(C)(i) of the Small Business Act (15 U.S.C. 632(p)(4)(C)(i)) is amended to read as follows:

''(i) 3 years after the first date on which the Administrator publishes a HUBZone map that is based on the results from the 2010 decennial census; or''.

SEC. ___7. ANNUAL REPORT ON SUSPENSION, DEBARMENT, AND PROSECUTION.

The Administrator shall submit an annual report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that contains—

(1) the number of debarments from participation in programs of the Administration issued by the Administrator during the 1-year period preceding the date of the report, including—

(A) the number of debarments that were based on a conviction; and

(B) the number of debarments that were fact-based and did not involve a conviction;

(2) the number of suspensions from participation in programs of the Administration issued by the Administrator during the 1-year period preceding the date of the report, including—

(A) the number of suspensions issued that were based upon indictments; and

(B) the number of suspensions issued that were fact-based and did not involve an indictment;

(3) the number of suspension and debarments issued by the Administrator during the 1-year period preceding the date of the report that were based upon referrals from offices of the Administration, other than the Office of Inspector General;

(4) the number of suspension and debarments issued by the Administrator during the 1-year period preceding the date of the report based upon referrals from the Office of Inspector General;

(5) the number of persons that the Administrator declined to debar or suspend after a referral described in paragraph (4), and the reason for each such decision;

(6) the number of investigations and reviews of potential suspensions and debarments that were initiated by the Administration; and

(7) the number of investigations and reviews of potential suspensions and debarments that were referred by the Administration to other agencies.

SA 445. Mr. COBURN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 17, strike line 14 and all that follows through page 18, line 10, and insert the following:

(a) BRIGHTFIELDS DEMONSTRATION PROGRAM.—Section 218 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3154d) is repealed.

(b) TERMINATION OF GLOBAL CLIMATE CHANGE MITIGATION INCENTIVE FUND.—Not later than 30 days after the date of enactment of this Act, the Secretary of Commerce shall terminate the Global Climate Change Mitigation Incentive Fund of the Department of Commerce.

SA 446. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert 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 paragraph (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 447. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 8, strike line 22 and all that follows through page 11, line 14, and insert the following:

SEC. 8. FEDERAL SHARE AND AUTHORIZATION OF APPROPRIATIONS.

(a) FEDERAL SHARE.—Section 204 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3144) is amended to read as follows:

''SEC. 204. FEDERAL SHARE.

''The Federal share of the cost of any project carried out under this title shall not exceed 50 percent.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 701(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231(a)) (as amended by section 19) is amended by striking ''$500,000,000'' and inserting ''$150,000,000''.

SA 448. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. INCORPORATION OF ECONOMIC DEVELOPMENT ADMINISTRATION INTO HUD COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

(a) TERMINATION OF AUTHORITY.—As soon as practicable after the date of enactment of this Act, the President shall establish a plan providing for—

(1) the termination of the Economic Development Administration; and

(2) except as provided in subsection (b), the transfer of all functions, duties, and authorities of the Economic Development Administration to the Department of Housing and Urban Development Community Development Block Grant program established under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

(b) LIMITATION.—Notwithstanding subsection (a)(2), on termination of the Economic Development Administration under subsection (a)(1)—

(1) all functions, duties, and authorities of the Economic Development Administration with respect to the Global Climate Change Mitigation Incentive Fund of the Department of Commerce; and

(2) the functions, duties, and authorities described in paragraph (1) shall not be transferred to the Department of Housing and Urban Development Community Development Block Grant program.

SA 449. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. ECONOMIC DEVELOPMENT ADMINISTRATION.

(a) TERMINATION OF AUTHORITY.—Effective October 1, 2011, the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is repealed.

(b) TERMINATION OF AGENCY.—Effective beginning on October 1, 2011, the Economic Development Administration is terminated.

(c) COLLECTION AUTHORITY.—The Secretary of the Treasury may collect any amounts owed to the Federal Government under any loan agreement entered into by the Economic Development Administration in effect on September 30, 2011—

(1) in accordance with the terms or conditions of that loan agreement; or

(2) as otherwise provided by law.

SA 450. Mr. COBURN (for himself, Ms. COLLINS, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ANNUAL REPORTS ON COST OF, PERFORMANCE BY, AND AREAS FOR IMPROVEMENTS FOR GOVERNMENT PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Taxpayers Right to Know Act''.

(b) REQUIREMENTS RELATING TO ANNUAL REPORT ON COST OF, PERFORMANCE BY, AND AREAS FOR IMPROVEMENTS FOR GOVERNMENT PROGRAMS.—

(1) REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.—Each fiscal year, for purposes of the report required by paragraph (3), the head of each agency shall—

(A) identify and describe every program administered by the agency;

(B) for each such program—

(i) determine the total administrative expenses of the program;

(ii) determine the expenditures for services for the program;

(iii) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(iv) estimate—

(I) the number of full-time employees who administer the program; and

(II) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract or subaward of a grant or contract) who assist in administering the program; and

(C) identify programs within the Federal Government (whether inside or outside the

agency) with duplicative or overlapping missions, services, and allowable uses of funds.

(2) RELATIONSHIP TO CATALOG OF DOMESTIC ASSISTANCE.—With respect to the requirements of paragraph (1)(A) and (B)(ii), the head of an agency may use the same information provided in the catalog of domestic and international assistance programs in the case of any program that is a domestic or international assistance program.

(3) REPORT.—Not later than February 1 of each fiscal year, the head of each agency shall publish on the official public website of the agency a report containing the following:

(A) The information required under paragraph (1) with respect to the preceding fiscal year.

(B) The latest performance reviews (including the program performance reports required under section 1116 of title 31, United States Code) of each program of the agency identified under paragraph (1)(A), including performance indicators, performance goals, output measures, and other specific metrics used to review the program and how the program performed on each.

(C) For each program that makes payments, the latest improper payment rate of the program and the total estimated amount of improper payments, including fraudulent payments and overpayments.

(D) The total amount of unspent and unobligated program funds held by the agency and grant recipients (not including individuals) stated as an amount—

(i) held as of the beginning of the fiscal year in which the report is submitted; and

(ii) held for 5 fiscal years or more.

(E) Such recommendations as the head of the agency considers appropriate—

(i) to consolidate programs that are duplicative or overlapping;

(ii) to eliminate waste and inefficiency; and

(iii) to terminate lower priority, outdated, and unnecessary programs and initiatives.

(4) DEFINITIONS.—In this section:

(A) ADMINISTRATIVE EXPENSES.—The term ''administrative costs'' has the meaning as determined by the Director of the Office of Management and Budget under section 504(b)(2) of Public Law 111–85 (31 U.S.C. 1105 note), except the term shall also include, for purposes of that section and this section, with respect to an agency—

(i) costs incurred by the agency as well as costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the agency; and

(ii) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the agency.

(B) SERVICES.—The term ''services'' has the meaning provided by the Director of the Office of Management and Budget and shall be limited to only activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of medical care, assistance for housing or tuition, or financial support (including grants and loans).

(C) AGENCY.—The term ''agency'' has the same meaning given that term in section 551(1) of title 5, United States Code, except that the term also includes offices in the legislative branch other than the Government Accountability Office.

(D) PERFORMANCE INDICATOR, PERFORMANCE GOAL, OUTPUT MEASURE, PROGRAM ACTIVITY.—The terms ''performance indicator'', ''performance goal'', ''output measure'', and ''program activity'' have the meanings provided by section 1115 of title 31, United States Code.

(E) PROGRAM.—The term ''program'' has the meaning provided by the Director of the Office of Management and Budget and shall include, with respect to an agency, any organized set of activities directed toward a common purpose or goal undertaken by the agency that includes services, projects, processes, or financial or other forms of assistance, including grants, contracts, loans, leases, technical support, consultation, or other guidance.

(c) AMENDMENTS TO CATALOG OF FEDERAL DOMESTIC ASSISTANCE PROGRAMS.—

(1) ADDITION OF INTERNATIONAL ASSISTANCE PROGRAMS.—

(A) IN GENERAL.—Section 6101 of title 31, United States Code, is amended by adding at the end the following:

''(7) The term 'international assistance' has the meaning provided by the Director of the Office of Management and Budget and shall include, with respect to an agency, assistance including grants, contracts, loans, leases, and other financial and technical support to—

''(A) foreign nations;

''(B) international organizations;

''(C) services provided by programs administered by any agency outside of the territory of the United States; and

''(D) services funded by any agency provided in foreign nations or outside of the territory of the United States by non-governmental organizations and entities.

''(8) The term 'assistance program' means each of the following:

''(A) A domestic assistance program.

''(B) An international assistance program.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 6102 of title 31, Untied States Code, is amended—

(I) in subsection (a), in the matter preceding paragraph (1), by striking ''domestic'' both places it appears; and

(II) in subsection (b), by striking ''domestic''.

(ii) Section 6104 of such title is amended—

(I) in subsections (a and (b), by inserting ''and international assistance'' after ''domestic assistance'' each place it appears; and

(II) in the section heading, by inserting ''**and international**'' after ''**domestic**''.

(2) ADDITIONAL INFORMATION REQUIRED TO BE INCLUDED CATALOG.—Section 6104(b) of title 31, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(4) the information required in paragraphs (1) through (4) of subsection (b) of the Taxpayers Right to Know Act;

''(5) the budget function or functions applicable to each assistance program contained in the catalog;

''(6) with respect to each assistance program in the catalog, an electronic link to the annual report required by subsection (b)(2) of the Taxpayers Right to Know Act by the agency that carries out the assistance program; and

''(7) the authorization and appropriation amount provided by law for each assistance program in the catalog in the current fiscal year, and a notation if the program is not authorized in the current year, has not been authorized in law, or does not receive a specific line item appropriation.''.

(3) REPORT RELATED TO COMPLIANCE WITH CATALOG REQUIREMENTS.—Section 6104 of title 31, United States Code, is further amended by adding at the end the following new subsection:

''(e) COMPLIANCE.—On the website of the catalog of Federal domestic and international assistance information, the Administrator shall provide the following:

''(1) CONTACT INFORMATION.—The title and contact information for the person in each agency responsible for the implementation, compliance, and quality of the data in the catalog.

''(2) REPORT.—An annual report compiled by the Administrator of domestic assistance programs, international assistance programs, and agencies with respect to which the requirements of this chapter are not met.''.

(4) BULK DOWNLOADS OF DATA.—Section 6103 of such title is amended by adding at the end the following new subsection:

''(d) BULK DOWNLOADS.—The information in the catalog of domestic and international assistance under section 6104 of this title shall be available on a regular basis through bulk downloads from the website of the catalog.''.

(5) REVISION TO AGENCY DEFINITION.—Section 6101(2) of such title is amended by inserting before the period at the end the following: ''except such term also includes offices in the legislative branch other than the Government Accountability Office''.

(d) REGULATIONS AND IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall prescribe regulations to implement this section.

(2) IMPLEMENTATION.—This section shall be implemented beginning with the first full fiscal year occurring after the date of the enactment of this Act.

SA 451. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. _____. PREVENTING DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Preventing Duplicative and Overlapping Government Programs Act''.

(b) AMENDMENT TO THE STANDING RULES OF THE SENATE.—Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking ''and (b)'' and inserting ''(b), and (c)'';

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

''(c) Each such report shall also contain—

''(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

''(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.''.

SA 452. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2, strike line 1 and all that follows through page 29, line 20, and insert the following:

SEC. 2. FEDERAL SHARE.

Section 204 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3144) is amended to read as follows:

''SEC. 204. FEDERAL SHARE.

''The Federal share of the cost of any project carried out under this title shall not exceed 40 percent.''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 701 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231) is amended to read as follows:

''SEC. 701. AUTHORIZATION OF APPROPRIATIONS.

''(a) ECONOMIC ADJUSTMENT ASSISTANCE PROGRAM.—There is authorized to be appropriated to carry out the program of grants for economic adjustment assistance under section 209 $150,000,000 for each of fiscal years 2011 through 2015.

''(b) TERMINATION OF OTHER PROGRAMS.—Effective on the date of enactment of the Economic Development Revitalization Act of 2011, the Secretary may not carry out any programs under this Act other than the program funded under subsection (a).''.

SA 453. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF POSTAGE STAMP FOR BREAST CANCER RESEARCH.

Section 414(h) of title 39, United States Code, is amended by striking ''2011'' and inserting ''2015''.

SA 454. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, after line 20, add the following:

SEC. 22. REQUIRED INSTALLATION AND USE IN PIPELINES OF REMOTELY OR AUTOMATICALLY CONTROLLED VALVES.

Section 60102(j) of title 49, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) REMOTELY OR AUTOMATICALLY CONTROLLED VALVES.—

''(A) IN GENERAL.—Not later than 18 months after the date of the enactment of the Economic Development Revitalization Act of 2011, the Secretary shall prescribe regulations requiring the installation and use in pipelines and pipeline facilities, wherever technically and economically feasible, of remotely or automatically controlled valves that are reliable and capable of shutting off the flow of gas in the event of an accident, including accidents in which there is a loss of the primary power source.

''(B) CONSULTATIONS.—In developing regulations prescribed in accordance with subparagraph (A), the Secretary shall consult with appropriate groups from the gas pipeline industry and pipeline safety experts.''.

SA 455. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. _____. NO FIREARMS FOR FOREIGN FELONS ACT OF 2011.

(a) SHORT TITLE.—This section may be cited as the ''No Firearms for Foreign Felons Act of 2011''.

(b) DEFINITIONS.—

(1) COURTS.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(JJ) The term 'any court' includes any Federal, State, or foreign court.''.

(2) EXCLUSION OF CERTAIN FELONIES.—Section 921(a)(20) of title 18, United States Code, is amended—

(A) in subparagraph (A), by striking ''any Federal or State offenses'' and inserting ''any Federal, State, or foreign offenses'';

(B) in subparagraph (B), by striking ''any State offense classified by the laws of the State'' and inserting ''any State or foreign offense classified by the laws of that jurisdiction''; and

(C) in the matter following subparagraph (B), in the first sentence, by inserting before the period the following: '', except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States''.

(c) DOMESTIC VIOLENCE CRIMES.—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)''; and

(2) in subparagraph (B)(ii), by striking ''if the conviction has'' and inserting the following: ''if the conviction—

''(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

''(II) has''.

(d) PENALTIES.—Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended—

(1) by striking ''an offense under State law'' and inserting ''an offense under State or foreign law''; and

(2) by inserting before the semicolon the following: '', except that a foreign conviction shall not constitute a conviction of such a crime if the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States''.

SA 456. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 22. ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN CRIMES.

Section 241(i)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(3)(A)) is amended by inserting ''charged with or'' before ''convicted''.

SA 457. Ms. STABENOW (for herself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by her to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 8 through 10 and insert the following:

(2) in subsection (b)—

(A) by redesignating paragraph (4) as paragraph (5); and

(B) by striking paragraph (3) and inserting the following:

''(3) since, depending on local conditions, assets, and challenges, local communities create businesses and jobs in different ways, the Economic Development Administration should take into consideration the unique circumstances and opportunities of local community applicants, and invest in localities that are creating or retaining jobs through a variety of approaches;

''(4) whether suffering from long-term distress''.

On page 12, between lines 11 and 12 insert the following:

SEC. 10. FLEXIBILITY FOR MANUFACTURING COMMUNITIES.

Section 209(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149(b)) is amended—

(1) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting the clauses appropriately;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(3) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary''; and

(4) by adding at the end the following:

''(2) MANUFACTURING COMMUNITIES.—The Secretary may provide assistance under this section if the Secretary determines that—

''(A) the project will help the area to meet a special need arising from—

''(i) actual or threatened severe unemployment in the manufacturing sector; or

''(ii) economic adjustment problems resulting from severe changes in economic conditions in the manufacturing sector; and

''(B)(i) the area for which the project is to be carried out meets the criteria described in paragraph (1)(B); or

''(ii) the area for which the project is to be carried out has a streamlined strategy consisting of any economic plan submitted by an eligible recipient that receives written approval by the Governor of the State.''.

On page 13, line 11, insert ''(including automotive manufacturing and supply)'' before '', natural resource-based''.

On page 29, line 8, strike ''Not later'' and insert ''(a) IN GENERAL.—Not later''.

At the end, add the following:

(b) RECOMMENDATIONS.—The report submitted under subsection (a) shall include any recommendations of the Government Accountability Office on how to consolidate the duplicative, ad hoc, out-of-date, and inadequate programs identified in the report.

TITLE II—REGIONAL ECONOMIC RECOVERY COORDINATION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Regional Economic Recovery Coordination Act of 2011''.

SEC. 202. PURPOSE.

The purpose of this title is to assist eligible regions affected by sudden and severe economic dislocation in the period beginning on January 1, 2006, by—

(1) identifying and coordinating Federal, State, and local economic development resources;

(2) providing technical assistance in support of regional economic development strategies; and

(3) integrating public and private economic development strategies for those regions.

SEC. 203. DEFINITIONS.

In this title:

(1) ELIGIBLE REGION.—The term ''eligible region'' means a region that has been certified by the Secretary under section 204(a).

(2) MASS LAYOFF.—The term ''mass layoff'' has the meaning given the term in section 2 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101).

(3) PLANT CLOSING.—The term ''plant closing'' has the meaning given the term in section 2 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101).

(4) RURAL COMMUNITY.—The term ''rural community'' means a community that has a rural-urban continuum code of 4, 5, 6, 7, 8, or 9, as defined by the Economic Research Service of the Department of Agriculture.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(6) SUDDEN AND SEVERE ECONOMIC DISLOCATION.—The term ''sudden and severe economic dislocation'' has the same meaning as used in section 209(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149).

(7) URBAN COMMUNITY.—The term ''urban community'' means a community that has a rural-urban continuum code of 1, 2, or 3, as defined by the Economic Research Service of the Department of Agriculture.

SEC. 204. NOTIFICATION AND CERTIFICATION.

(a) CERTIFICATION.—

(1) IN GENERAL.—The Secretary may certify for purposes of this title the region in which the plant closing or mass layoff is located if 1 or more of the conditions described in paragraph (2) apply.

(2) APPLICABLE CONDITIONS.—The conditions referred to in paragraph (1) with respect to a region are that—

(A) if the region is comprised of an urban community, not fewer than 500 individuals employed in that community have received written notices under section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) in the most recent 180-day period for which data are available;

(B) if the region is comprised of a rural community, not fewer than 300 individuals employed in that community have received written notices under section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) in the most recent 180-day period for which data are available; and

(C) the unemployment rate for the region is not less than 1 percent greater than the national unemployment rate for the most recent 12-month period for which data are available through the Bureau of Labor Statistics.

(b) NOTIFICATION TO CERTIFIED REGIONS.—Not later than 15 days after the Secretary certifies a region under subsection (a), the Secretary shall notify the Governor of the State of that region and the officials of that region of—

(1) the certification;

(2) the provisions of this title; and

(3) the manner in which to access the central information clearinghouse maintained under section 502(1) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3192(1)).

SEC. 205. FEDERAL ECONOMIC RECOVERY COORDINATORS.

(a) ASSIGNMENT.—

(1) IN GENERAL.—Upon the request of an eligible region, the Secretary shall assign a Federal economic recovery coordinator to that region to carry out the duties described in subsection (b).

(2) ASSIGNMENT OF FEDERAL PERSONNEL.—The Secretary may assign personnel of the Department of Commerce to serve as Federal economic recovery coordinators in accordance with the applicable provisions of subchapter VI of chapter 33 of title 5, United States Code.

(b) DUTIES.—The duties of a Federal economic recovery coordinator assigned under subsection (a) to an eligible region are—

(1) to provide technical assistance to the eligible region and assist in the development of a comprehensive economic development strategy (as that term is used in sections 203 and 302 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143 and 3162)) for the region, including applying for applicable grants to develop or implement the plan;

(2) at the local or regional level, to coordinate the response of all Federal agencies offering economic adjustment assistance to the eligible region;

(3) to act as a liaison between the eligible region and all Federal agencies that offer economic adjustment assistance to eligible regions, including—

(A) the Department of Agriculture;

(B) the Department of Defense;

(C) the Department of Education;

(D) the Department of Labor;

(E) the Department of Housing and Urban Development;

(F) the Department of Health and Human Services;

(G) the Small Business Administration;

(H) the Department of the Treasury;

(I) the National Economic Council;

(J) the Department of Commerce;

(K) the Environmental Protection Agency; and

(L) the Department of Transportation;

(4) to report regularly to the Secretary regarding the progress of economic adjustment in the eligible region; and

(5) to perform such other duties as the Secretary considers to be appropriate.

SEC. 206. AUTHORIZATION OF APPROPRIATIONS.

For each of fiscal years 2011 through 2013, of the amounts made available under section 701 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3231), there are authorized to be appropriated to carry out this title such sums as are necessary.

SA 458. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 22. COST-BENEFIT ANALYSIS FOR RULEMAKING.

Notwithstanding any other provision of law, each rule required to be issued under the Dodd-Frank Wall Street Reform and Consumer Protection Act, or any amendment made by that Act, shall be accompanied by a cost-benefit analysis for that rule.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 9, 2011, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 9, 2011, at 10 a.m. to conduct a hearing entitled ''Reauthorization of the National Flood Insurance Program.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 9, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. 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 June 9, 2011.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 9, 2011, at 10 a.m., to hold a briefing entitled, ''Intelligence Update on Libya.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on June 9, 2011, at 10 a.m., in 430 Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on June 9, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled Setting the Standard: Domestic Policy Implications of the UN Declaration on the Rights of Indigenous Peoples.''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 9, 2011, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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