(Mr. BLUMENTHAL) was added as a cosponsor of S. 1131, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 1211

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1211, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 1214

At the request of Mrs. GILLIBRAND, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1214, a bill to amend title 10, United States Code, regarding restrictions on the use of Department of Defense funds and facilities for abortions.

S. 1280

At the request of Mrs. BOXER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

At the request of Mr. ISAKSON, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1280, supra.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in person, and for other purposes.

S. 1381

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1381, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne disease, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1460

At the request of Mr. BAUCUS, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1512

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1514

At the request of Mr. TESTER, the names of the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. SANDERS), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1514, a bill to authorize the President to award a gold medal on behalf of the Congress to Elouise Pepion Cobell, in recognition of her outstanding and enduring contributions to American Indians, Alaska Natives, and the Nation through her tireless pursuit of justice.

S. 1528

At the request of Mr. JOHANNS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1528, a bill to amend the Clean Air Act to limit Federal regulation of nuisance dust in areas in which that dust is regulated under State, tribal, or local law, to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, and for other purposes.

S. 1539

At the request of Mr. CORNYN, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1539, a bill to provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China.

S. 1542

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1542, a bill to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016, and for other purposes.

S. 1577

At the request of Mr. BAUCUS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1577, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1584

At the request of Mr. BENNET, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1584, a bill to provide for additional quality control of drugs.

S. 1595

At the request of Mr. HATCH, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1595, a bill to prohibit funding for the United Nations in the event the United Nations grants Palestine a change in status from a permanent observer entity before a comprehensive peace agreement has been reached with Israel.

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1595, supra.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 27

At the request of Mr. UDALL of New Mexico, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Con. Res. 27, a concurrent resolution honoring the service of Sergeant First Class Leroy Arthur Petry, a native of Santa Fe, New Mexico and the second living recipient of the Medal of Honor since the Vietnam War.

S. RES. 232

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

AMENDMENT NO. 634

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of amendment No. 634 proposed to H.R. 2832, a bill to extend the Generalized System of Preferences, and for other purposes.

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of amendment No. 634 proposed to H.R. 2832, supra.

AMENDMENT NO. 650

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of amendment No. 650 proposed to H.R. 2832, a bill to extend the Generalized System of Preferences, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself and Mr. LUGAR):

S. 1603. A bill to enable transportation fuel competition, consumer choice, and greater use of domestic energy sources in order to reduce our Nation's dependence on foreign oil; to the Committee on Commerce, Science, and Transportation.

Ms. CANTWELL. Mr. President, I rise today to introduce legislation aimed at breaking oil's monopoly over our Nation's transportation system. I would like to thank Senator LUGAR for helping develop and agreeing to cosponsor this important bill.

The Open Fuels Standard Act of 2011 would introduce competition among fuels in the U.S. transportation market by ensuring that most new vehicles in the United States will be capable of running on a range of domestically produced alternative fuels.

By introducing competition among fuels, the Open Fuels Standard, OFS, Act aims to bring bout significant reductions in the high prices paid by U.S. consumers at the gas pump and in our Nation's dangerous overdependence on foreign oil. According to the Department of Energy, this lack of competition imposes a ''monopoly premium'' of more than $200 billion on the economy each year—a direct transfer of U.S. wealth to the treasuries of OPEC countries and other foreign oil producers. Keeping this money within U.S. borders would sharply cut the U.S. trade deficit, safeguard U.S. household income, and provide capital and market incentive for investment in new U.S. energy infrastructure.

The Open Fuels Standard Act requires that starting in 2015, 50 percent of new vehicles manufactured or sold in the United States be flex fuel capable—that is, able to run on non-petroleum fuels. These fuels would include domestically-produced ethanol or methanol or other alcohols in addition to—or instead of—petroleum-based fuels. In 2018, 80 percent of new vehicles would need to be flex-fuel capable. Adoption of an Open Fuels Standard would spur the development and use of alcohol fuels such as ethanol and methanol that can be made from a wide variety of domestic energy resources including agricultural waste, energy crops, natural gas, and even trash. By increasing the share of these abundant domestic fuels in the U.S. market, the Open Fuels Standard Act has the potential to eliminate major drag on the American economy, creating new jobs, strengthening our national security, and addressing challenging environmental concerns such as air quality and climate change.

Today's introduction of the Open Fuels Standard Act coincides with yesterday's launch of the United States Energy Security Council. The new Council's purpose is to focus on reducing U.S. energy vulnerability and enhancing national security by finding alternatives to foreign oil. This new group's members include former Secretary of State George Shultz, former Secretaries of Defense William Perry and Harold Brown, as well as three former national security advisers, a former C.I.A. director, two former senators, a Nobel laureate, a former Federal Reserve chairman, and several Fortune-50 chief executives.

The U.S. Energy Security Council is calling for Congress to enact a requirement such as the Open Fuels Standard to end oil's monopoly as the lynchpin of U.S. energy security, according to a New York Times op-ed on September 21 by council members former National Security Advisor Robert C. McFarlane and former Director of Central Intelligence R. James Woolsey.

The Open Fuels Standard Act will also complement and advance other key legislation that Congress has passed in recent years with the goals of transforming the U.S. energy system to make it more secure, more affordable, and more environmentally sustainable. For example, the 2007 Energy Independence and Security Act included the Renewable Fuels Standard, requiring the production of 36 billion gallons of biofuels by 2022, and raising CAFE standards, corporate average fuel economy, for the first time in 20 years for SUVs and trucks. The Open Fuels Standard Act, in conjunction with policies such as these that we fought hard for in previous Congresses, will play a major role in achieving our long-term national energy goals.

Oil has had a monopoly over transportation fuel for too long and American drivers have had no choice but to pay volatile and elevated prices at the pump. I am encouraged by the broad bipartisan and stakeholder support for the Open Fuels Standard Act, and again would like to thank Senator LUGAR, which I believe is a recognition that this approach will really help diversify our Nation's energy supply and spur investment and job creation.

By Mr. PORTMAN (for himself, Mr. PRYOR, and Ms. COLLINS):

S. 1606. A bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents; to the Committee on Homeland Security and Governmental Affairs.

Mr. PRYOR. Mr. President, I have heard from many Arkansans and businesses, particularly small businesses, which are struggling to meet an increasing regulatory burden. Each year, Federal agencies issue more than 3,000 final rules, many of which have significant economic impact. In Executive Order 13563, President Obama emphasized that our regulatory system should promote ''economic growth, innovation, competitiveness, and job creation.'' I agree. We need a 21st-century regulatory system that promotes future prosperity. However, there are some rules where that goal appears to have been ignored and as a result our economy suffers.

Experience suggests that improvements in the regulatory process are necessary to ensure that all agencies pay close attention to the impact their regulatory actions have on jobs and on the economy.

For example, the EPA is currently considering more stringent regulations of dust as part of the national ambient air quality. From county roads to farm fields, dust is an unavoidable reality in rural areas. Imposing strict dust regulations on these communities would hurt family farmers and rural economies across Arkansas and our Nation.

Another example comes from a county judge in Arkansas. He was rightly concerned about a regulation stemming from the Bush administration that would have cost municipalities and counties and States across the country tens of millions of dollars to replace their street signs. The burden of paying for hundreds of thousands of new signs at costs ranging anywhere from $30 to $110 would have fallen to State and local governments, and that means State and local taxpayers. Fortunately, as part of the administration's review of regulations, Transportation Secretary Ray LaHood has decided that a specific deadline for replacing street signs makes no sense and that local and State transportation agencies are best equipped to determine when they need to replace these signs in the course of their daily work.

In his Executive order, President Obama remarked that the regulatory system ''must identify and use the best, most innovative, and least burdensome tools for achieving regulatory ends.'' Last month, Cass Sunstein, the Administrator of the Office of Information and Regulatory Affairs, wrote in the Wall Street Journal that Cabinet Secretaries were instructed to minimize regulatory costs, avoid imposing excessive regulatory burdens, and prioritize regulatory actions that promote economic growth and job creation. I applaud the administration's new directive.

One difference in what the administration is doing versus what we are doing in the Portman-Pryor legislation is that the President is looking retrospectively. He is doing a review of regulations that are on the books now, which is good. I welcome that. But the Portman-Pryor legislation will be prospective; it will go forward. We will talk about that more as we go.

I think it is time that Congress reviewed several of the laws that form the basis of our Federal regulatory system. We need to find ways to make these laws more fair, reasonable, and effective in meeting the dual challenges of protecting the public while making our economy stronger and more competitive. That is why I have teamed up with Senator PORTMAN on this important legislation.

Done right, I believe regulatory reform can lead to better, cheaper, and faster rulemaking. Specifically, agencies should, one, propose or adopt regulations only when the benefits justify the costs; two, write regulations so that they impose the least burden on society; and three, in choosing among alternative regulatory approaches, select those that strike the right balance between minimizing costs and maximizing benefits.

Portman-Pryor amends the Administrative Procedures Act to place greater

emphasis on early engagement between agencies and parties subject to high-impact rules costing $1 billion or more per year and major rules costing $100 million or more. These expensive rules are where our focus should be. In fact, as a historical footnote, the Administrative Procedures Act was written in 1946 and has not really been revised and updated since that time. So now that it is 65 years old, I think it is time to look at it and update it.

Portman-Pryor makes better use of two existing regulatory tools. It requires an advanced notice of proposed rulemaking for high-impact and major rules to enable agencies to solicit written data, views, or arguments from interested parties. Second, although the Administrative Procedures Act already allows for formal hearings, agencies rarely use this option. Portman-Pryor requires an agency to conduct a formal rulemaking hearing for high-impact rules and, in some cases, major rules so that data and information can be debated on the record—here again, on the record. We are trying to make this process more transparent.

Portman-Pryor strikes a balance between minimizing costs and maximizing benefits. The bill makes clear that the agencies are encouraged to choose the least costly alternative that would achieve the objectives of the statute authorizing the rule. However, the bill also makes clear that the agency may choose—may choose—a more costly rule so long as it does two things: one, explains why it has done so based on policy concerns addressed by the statute authorizing the rule and, two, shows that the added benefits are greater than the added costs, which is by definition a push toward ''maximizing benefits.''

Today, the length of rulemaking varies widely from a few months to several years. After this reform, times will still vary in about that same amount, but the final rules should be more stable and more credible. A principal goal of Portman-Pryor is that the bill may shorten the rulemaking process because the final rule will be based on more sound, thorough information and that fewer high-impact and major rules will be vacated by courts and sent back to the agency.

Finally, the bill reinforces that agencies must assess both the costs and benefits of their rules. However, the bill requires the Administrator of OIRA to establish guidelines so that costs-benefit analysis can be commensurate with the economic impact of the rule.

Regulatory reform is not an exciting subject, I know, but it is vitally important to our Nation's economic recovery. I look forward to working with Senator PORTMAN on this important legislation. I also look forward to working with other colleagues to try to get them interested and possibly cosponsoring and helping us get this bill through the process.

My final point is that this is a piece of legislation which not only is bipartisan but is bicameral. We have two Members of the U.S. House of Representatives who have announced this legislation with us today: LAMAR SMITH, who is chairman of the Judiciary Committee, and COLLIN PETERSON, who is the ranking member on the Agriculture Committee in the House. So it is rare when we get bipartisan, bicameral legislation coming in this Congress.

I hope—I sincerely hope—I will have colleagues on both sides of the aisle who will look at this legislation. I hope we will get broad bipartisan support and we will be able to move it through the committees and get it to the floor in a timely fashion.

By Mr. HARKIN (for himself, Mr. LEAHY, and Mr. INOUYE):

S. 1609. A bill to require the Secretary of Health and Human Services to establish a demonstration program to award grants to, and enter into contracts with, medical-legal partnerships to assist patients and their families to navigate health-related programs and activities; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, today I join Senators LEAHY and INOUYE to introduce the Medical-Legal Partnership for Health Act. This legislation will reduce our Nation's health care costs and improve the health of vulnerable patients by building upon the great work that medical-legal partnerships are doing every day, all across the United States.

Medical-legal partnerships bring legal aid services into medical settings, such as hospitals and community health centers, to help patients overcome problems that create and perpetuate poor health. In today's difficult economy, many Americans are struggling to meet the basic health needs of themselves and their children. This may mean struggling to pay the high costs of medical care or prescription drugs, or putting off an annual checkup until next year.

But some health care needs are nonmedical in nature, like making sure your home is properly heated in the winter; that it is not infested by insects or rodents; and that it is free of domestic violence. These needs may require more than just medical care; they may require legal assistance.

Unfortunately, most health care providers are not equipped to deal with the non-medical issues that lead some patients to seek medical care repeatedly or on an ongoing basis. Despite the perception that legal issues frequently affect their patients, a survey of physicians at Boston Medical Center revealed that fewer than 20 percent of doctors knew how to refer patients to legal resources. As a result, many patients never address the root cause of their health problems, leading to costly visits to the emergency room and lengthy hospital stays.

Medical-legal partnerships connect patients with the legal assistance they need to address these root causes. Rather than just applying a temporary fix to a health issue, they help patients get healthy and stay healthy.

In the process, medical-legal partnerships generate substantial cost savings for families and the entire health care system. One study found a 50 percent reduction in emergency room visits following the intervention of medical-legal partnerships, saving families hundreds of dollars per visit. Another study showed that medical-legal partnerships reduced the cost per pediatric asthma patient from $735 to $181 through fewer emergency room visits, while also resulting in decreased frequency and duration of asthma attacks following an intervention. These cost savings not only help keep families out of potentially crippling debt, but they also help reduce emergency room overcrowding and decrease health care expenditures on preventable health conditions.

Unfortunately, many patients are unlikely to seek legal services on their own. Eighty-five percent of patients who sought legal assistance from one medical-legal partnership in California had not used legal resources before and more than 78 percent were not previously aware of legal services at all. By embedding legal services in health care settings, medical-legal partnerships raise awareness of legal services so that patients are more likely to address problems before they turn into crises.

In an article about medical-legal partnerships last year, the Los Angeles Times told the story of Maria Perez. Maria had a fever of 103, her body ached and she had trouble breathing. After being told in the emergency room that she had pneumonia, she went to a clinic in South Los Angeles for a follow-up appointment. The doctor asked Perez about her housing situation. Her apartment had cockroaches and mice, and rain fell through a broken window and filled the walls with mold. The doctor wrote prescriptions to treat the pneumonia and an asthma flare-up and then sent her down the hall to talk to a lawyer.

After the attorney contacted both the landlord and the Los Angeles Housing Department, Maria's living conditions improved, and so did her health. She told the Times: ''The medicine wasn't what cured me. It was [my lawyer] and what he did.''

Medical-legal partnerships also offer a critical lifeline to victims of domestic violence. In my home state of Iowa, a young woman named Brenda sought help to escape an abusive marriage. Her husband was a gang member and threatened to kill her or have members of his gang kill her. One night, while attempting to flee an attack, Brenda's husband pulled her back into the house and beat and choked her until she lost consciousness. When Brenda sought medical care the next day, her care providers referred her to Iowa Legal Aid's Health and Law Project for help.

Iowa Legal Aid helped Brenda obtain a protective order, which included custody of the couple's daughter. Iowa Legal Aid is currently helping Brenda with a divorce so that she and her daughter will have protection and long-term autonomy from her abuser; thereby reducing the need for ongoing health care.

The success of these programs is catching on. The first medical-legal partnership was created nearly two decades ago at Boston Medical Center. By 2009, there were 60 such partnerships across the country. Today there are 90 medical-legal partnerships working with more than 240 health services providers.

Medical-legal partnerships have attracted the attention of corporate America, too. In July, Walmart became the first corporation to take a lead role in a medical-legal partnership, and I commend them for recognizing the valuable role these programs can play in our communities.

After graduating from law school, I served as a Legal Services attorney in Iowa. I learned first-hand how crucial this assistance is to struggling families and individuals who have no place else to turn when they are taken advantage of or abused. I know the invaluable legal help provided to battered women trying to leave abusive relationships while fearing for their safety and the safety of their children. I know that, without access to the legal system, the poor are often powerless against the injustices they suffer.

I am particularly proud of the success of a medical-legal partnership in my home state of Iowa. The Iowa Legal Aid Health and Law Project harnesses the talents of Iowa physicians and attorneys to improve the lives of vulnerable Iowans. By partnering with 17 hospitals and health centers across my state, the Iowa Legal Aid Health and Law Project is able to extend services from Sioux City to Dubuque, and from Council Bluffs to Fort Dodge. In 2009, the program served 880 Iowans, and 94 percent of their cases had a positive outcome. The Iowa Legal Aid Health and Law Project does a remarkable job. They are just one example of the great work going on across the country.

You may be surprised to learn that when it comes to medical-legal partnerships, a little money can go a long way. Iowa's program was started with a federal investment of less than $300,000. The program prevents hospital admissions and emergency room visits that cost hospitals and patients many thousands of dollars in health care costs and insurance premiums. A modest investment in these community programs can help people achieve healthier, safer lives and prevent future hospitalizations and health care costs. That sounds like common sense to me. And that's why, today, I am proud to introduce the Medical-Legal Partnership for Health Act: to give health care providers and lawyers across the country the opportunity to start such programs.

The Act creates a federal demonstration program to help create, strengthen, and evaluate medical-legal partnerships. Overall, this legislation will support 60 partnership sites in community health centers, the Veterans Administration, hospitals, and other health care settings.

I was proud to have the support of former Senator Kit Bond of Missouri when I introduced this legislation during the previous Congress. I know there are many Americans who think that the two political parties in Washington can't agree on anything these days, but this is an issue that has attracted bipartisan support in the past and it is my strong hope that it will do so again. In the spirit of compromise and bipartisanship, I have taken contentious issues off the table: the bill excludes federal money from being used toward class action law suits, medical malpractice cases, representation of undocumented individuals, and abortion or abortion-counseling services.

Medical-legal partnerships also have broad support from prominent organizations representing physicians and attorneys. They've received the endorsement of the American Medical Association, the American Bar Association, the American Academy of Pediatrics, the American Hospital Association, and the Accreditation Council of Graduate Medical Education, to name just a few.

Through this community-based, common-sense investment, we will be able to help some of our most vulnerable citizens avoid illness and hospitalization, while reducing costs across the entire health care system.

I urge my colleagues to join me in supporting this investment in medical-legal partnerships.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1609

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medical-Legal Partnership for Health Act''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Numerous studies and reports, including the annual National Healthcare Disparities Report and Unequal Treatment, the 2002 Institute of Medicine Report, document the extensiveness to which vulnerable populations suffer from health disparities across the country.

(2) These studies have found that, on average, racial and ethnic minorities and low-income populations are disproportionately afflicted with chronic and acute conditions such as asthma, cancer, diabetes, and hypertension and suffer worse health outcomes, worse health status, and higher mortality rates.

(3) Several recent studies also show that health and healthcare quality are a function of not only access to healthcare, but also the social determinants of health, including the environment, the physical structure of communities, socio-economic status, nutrition, educational attainment, employment, race, ethnicity, geography, and language preference, that directly and indirectly affect the health, healthcare, and wellness of individuals and communities.

(4) Formally integrating medical and legal professionals in the health setting can more effectively address the health needs of vulnerable populations and ultimately reduce health disparities.

(5) All over the United States, healthcare providers who take care of low-income individuals and families are partnering with legal professionals to assist them in providing better quality of healthcare.

(6) Medical-legal partnerships integrate lawyers in a health setting to help patients navigate the complex government, legal, and service systems in addressing social determinants of health, such as income supports for food insecure families and mold removal from the home of asthmatics.

(b) PURPOSES.—The purposes of this Act are to—

(1) support and advance opportunity for medical-legal partnerships to be more fully integrated in healthcare settings nationwide;

(2) to improve the quality of care for vulnerable populations by reducing health disparities among health disparities populations and addressing the social determinants of health; and

(3) identify and develop cost-effective strategies that will improve patient outcomes and realize savings for healthcare systems.

SEC. 3. MEDICAL-LEGAL PARTNERSHIPS.

(a) IN GENERAL.—The Secretary of Health and Human Services shall establish a nationwide demonstration project consisting of—

(1) awarding grants to, and entering into contracts with, medical-legal partnerships to assist patients and their families to navigate programs and activities; and

(2) evaluating the effectiveness of such partnerships.

(b) TECHNICAL ASSISTANCE.—The Secretary may, directly or through grants or contracts, provide technical assistance to grantees under subsection (a)(1) to support the establishment and sustainability of medical-legal partnerships. Not to exceed 5 percent of the amount appropriated to carry out this section in a fiscal year may be used for purposes of this subsection.

(c) FUNDING.—

(1) USE OF FUNDS.—Amounts received as a grant or pursuant to a contract under this section shall be used to assist patients and their families to navigate health-related programs and activities for purposes of achieving one or more of the following goals:

(A) Enhancing access to healthcare services.

(B) Improving health outcomes for low-income individuals, as defined in subsection (g).

(C) Reducing health disparities among health disparities populations.

(D) Enhancing wellness and prevention of chronic conditions and other health problems.

(E) Reducing cost of care to the healthcare system.

(F) Addressing the social determinants of health.

(G) Addressing situational contributing factors.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary, but not to exceed $10,000,000, for each of the fiscal years 2012 through 2016.

(3) MATCHING REQUIREMENT.—For each fiscal year, the Secretary may not award a

grant or contract under this section to a entity unless the entity agrees to make available non-Federal contributions (which may include in-kind contributions) toward the costs of a grant or contract awarded under this section in an amount that is not less than $1 for each $10 of Federal funds provided under the grant or contract.

(4) ALLOCATION.—Of the amounts appropriated pursuant to paragraph (2) for a fiscal year, the Secretary may obligate not more than 5 percent for the administrative expenses of the Secretary in carrying out this section.

(d) ELIGIBLE ENTITIES.—To be eligible to receive a grant or contract under this section, an entity shall—

(1) be an organization experienced in bridging the medical and legal professions on behalf of vulnerable populations nationally; and

(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information demonstrating that the applicant has experience in bridging the medical and legal professions or a strategy or plan for cultivating and building medical-legal partnerships.

(e) PROHIBITIONS.—No funds under this section may be used—

(1) for any medical malpractice action or proceeding;

(2) to provide any support to an alien who is not—

(A) a qualified alien (as defined in section 431 of the Immigration and Nationality Act);

(B) a nonimmigrant under the Immigration and Nationality Act; or

(C) an alien who is paroled into the United States under section 212(d)(5) of such Act for less than one year;

(3) to provide legal assistance with respect to any proceeding or litigation which seeks to procure an abortion or to compel any individual or institution to perform an abortion, or assist in the performance of an abortion; or

(4) to initiate or participate in a class action lawsuit.

(f) REPORTS.—

(1) FINAL REPORT BY SECRETARY.—Not later than 6 months after the date of the completion of the demonstration program under this section, the Secretary shall conduct a study of the results of the program and submit to the Congress a report on such results that includes the following:

(A) An evaluation of the program outcomes, including—

(i) a description of the extent to which medical-legal partnerships funded through this section achieved the goals described in subsection (b);

(ii) quantitative and qualitative analysis of baseline and benchmark measures; and

(iii) aggregate information about the individuals served and program activities.

(B) Recommendations on whether the programs funded under this section could be used to improve patient outcomes in other public health areas.

(2) INTERIM REPORTS BY SECRETARY.—The Secretary may provide interim reports to the Congress on the demonstration program under this section at such intervals as the Secretary determines to be appropriate.

(3) REPORTS BY GRANTEES.—The Secretary may require each recipient of a grant under this section to submit interim and final reports on the programs carried out by such recipient with such grant.

(g) DEFINITIONS.—In this section:

(1) The term ''health disparities populations'' has the meaning given such term in section 485E(d) of the Public Health Service Act.

(2) The term ''low-income individuals'' refers to the population of individuals and families who earn up to 200 percent of the Federal poverty level.

(3) The term ''medical-legal partnership'' means an entity—

(A) that is a partnership between—

(i) a community health center, public hospital, children's hospital, or other provider of healthcare services to a significant number of low-income beneficiaries; and

(ii) one or more legal professionals; and

(B) whose primary mission is to assist patients and their families navigate health-related programs, activities, and services through the provision of relevant civil legal assistance on-site in the healthcare setting involved, in conjunction with regular training for healthcare staff and providers regarding the connections between legal interventions, social determinants, and health of low-income individuals.

(4) The term ''Secretary'' means the Secretary of Health and Human Services.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. CASEY, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 1612. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Targeting Transnational Drug Trafficking Act of 2011 with my colleagues and friends, Senator CHARLES GRASSLEY, Senator CHARLES SCHUMER, Senator RICHARD BLUMENTHAL, Senator TOM UDALL, Senator ROBERT CASEY and Senator RON WYDEN.

This bill will support the Obama Administration's recently released Strategy to Combat Transnational Organized Crime by providing the Department of Justice with crucial tools to help combat the international drug trade. As drug traffickers find new and innovative ways to avoid prosecution, we must keep up with them rather than allowing our laws to lag behind.

This legislation has three main components. First, it puts in place penalties for extraterritorial drug trafficking activity when individuals have reasonable cause to believe that illegal drugs will be trafficked into the United States. Current law says that drug traffickers must know that illegal drugs will be trafficked into the United States and this legislation would lower the knowledge threshold to reasonable cause to believe.

The Department of Justice has informed my office that with increasing frequency, it sees drug traffickers from Colombia, Ecuador and Peru who produce cocaine in their countries but leave transit of cocaine to the United States in the hands of Mexican drug trafficking organizations such as the Zetas. Under current law, our ability to prosecute source-nation traffickers from Colombia, Ecuador and Peru is limited since there is often no direct evidence of their knowledge that illegal drugs were intended for the United States.

Second, this bill ensures that current penalties apply to precursor chemical producers from other countries. This includes those producing pseudoephedrine used for methamphetamine who illegally ship precursor chemicals into the United States knowing that these chemicals will be used to make illegal drugs.

Third, this bill will expand conspiracy liability when controlled substances are destined to the United States from a foreign country. This means that members of any conspiracy to distribute controlled substances will be subject to U.S. jurisdiction when at least one member of the conspiracy intends or knows that illegal drugs will be unlawfully imported into the United States.

As Chairman of the Senate Caucus on International Narcotics Control and as a public servant who has focused on law enforcement issues for many years, I know that we cannot sit idly by as drug traffickers find new ways to circumvent our laws. We must provide the Department of Justice with all of the tools it needs to prosecute drug kingpins both here at home and abroad.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1612

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Targeting Transnational Drug Trafficking Act of 2011''.

SEC. 2. POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.

(a) POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.—Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) in subsection (a), by striking ''It shall'' and all that follows and inserting the following: ''It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam intending, knowing, or having reasonable cause to believe that such substance will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

''(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

''(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

''(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.''.

(b) ATTEMPT AND CONSPIRACY.—Section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963) is amended by adding at the end the following: ''For a conspiracy to commit such an offense that requires the person to intend, know, or have reasonable cause to believe that a controlled substance will be unlawfully imported into

the United States, it is sufficient to prove a conspiracy to commit the offense that only 1 member of the conspiracy intended, knew, or had reasonable cause to believe that the controlled substance would be unlawfully imported into the United States.''.

By Mr. REED (for himself and Mrs. HUTCHISON):

S. 1613. A bill to improve and enhance research and programs on childhood cancer survivorship, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be joined today by Senator HUTCHISON in the introduction of the Pediatric, Adolescent, and Young Adult Cancer Survivorship Research and Quality of Life Act of 2011.

The population of survivors of childhood cancer has grown exponentially over the years. In 1960, only 4 percent of children with cancer survived more than 5 years. Today, nearly 80 percent of children with cancer survive more than five years. While this is heartening news, as a result of their cancer and treatment, many of these children unfortunately have health complications, often life-threatening, for years to come. Indeed, after beating cancer, as many as ⅔ of these children suffer from late effects of their disease or treatment, including second cancers and heart and lung damage. There are also serious psychosocial impacts that these survivors face.

With so many facing the risk of these late effects, it is critical that resources are made available to help these survivors, especially those in underserved communities. Our legislation would enhance research on the late effects of childhood cancers and improve collaboration among providers so that doctors are better able to care for this population as they age. It would also establish a new pilot program to begin to explore models of care for childhood cancer survivors. Creating standard protocols and procedures will help providers, patients, and families know what to expect after beating cancer, including when to get certain check-ups and tests that guard against late effects.

This bill is part of a continuing effort to focus greater attention on childhood cancers. In 2008, I worked on a bipartisan basis to enact, the Caroline Pryce Walker Conquer Childhood Cancer Act. This law has increased support for research on childhood cancers and improved treatment for patients. But we must not stop there.

The legislation Senator HUTCHISON and I are introducing today to address the late effects of childhood cancer, will do more to help childhood cancer patients. I look forward to working with my colleagues to pass this legislation and help ensure that children who survive cancer live a long and healthy life.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1613

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Pediatric, Adolescent, and Young Adult Cancer Survivorship Research and Quality of Life Act of 2011''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) An estimated 12,400 children and adolescents under age 20 are diagnosed with cancer each year.

(2) In 1960, only 4 percent of children with cancer survived more than 5 years, but by 2011, cure rates have increased to 78 percent for children and adolescents under age 20.

(3) The population of survivors of childhood cancers has grown dramatically, to more than 300,000 individuals of all ages as of 2007.

(4) As many as ⅔ of childhood cancer survivors are likely to experience at least one late effect of treatment, with as many as ¼ experiencing a late effect that is serious or life-threatening. The most common late effects of childhood cancer are neurocognitive, psychological, cardiopulmonary, endocrine, and musculoskeletal effects and secondary malignancies.

(5) The late effects of cancer treatment may change as treatments evolve, which means that the monitoring and treatment of cancer survivors may need to be modified on a routine basis.

(6) The Institute of Medicine, in its reports on cancer survivorship entitled ''Childhood Cancer Survivorship: Improving Care and Quality of Life'', states that an organized system of care and a method of care for pediatric cancer survivors is needed.

SEC. 3. CANCER SURVIVORSHIP PROGRAMS.

(a) CANCER SURVIVORSHIP PROGRAMS.—Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following:

''SEC. 417G. PILOT PROGRAMS TO EXPLORE MODEL SYSTEMS OF CARE FOR PEDIATRIC CANCER SURVIVORS.

''(a) IN GENERAL.—The Secretary may make grants to eligible entities to establish pilot programs to develop, study, or evaluate model systems for monitoring and caring for childhood cancer survivors.

''(b) ELIGIBLE ENTITIES.—In this section, the term 'eligible entity' means—

''(1) a medical school;

''(2) a children's hospital;

''(3) a cancer center; or

''(4) any other entity with significant experience and expertise in treating survivors of childhood cancers.

''(c) USE OF FUNDS.—The Secretary may make a grant under this section to an eligible entity only if the entity agrees—

''(1) to use the grant to establish a pilot program to develop, study, or evaluate one or more model systems for monitoring and caring for cancer survivors; and

''(2) in developing, studying, and evaluating such systems, to give special emphasis to—

''(A) the design of protocols for different models of follow-up care, monitoring, and other survivorship programs (including peer support and mentoring programs);

''(B) the development of various models for providing multidisciplinary care;

''(C) the dissemination of information and the provision of training to health care providers about how to provide linguistically and culturally competent follow-up care and monitoring to cancer survivors and their families;

''(D) the development of support programs to improve the quality of life of cancer survivors;

''(E) the design of systems for the effective transfer of treatment information and care summaries from cancer care providers to other health care providers (including risk factors and a plan for recommended follow-up care);

''(F) the dissemination of the information and programs described in subparagraphs (A) through (E) to other health care providers (including primary care physicians and internists) to cancer survivors and their families, where appropriate; and

''(G) the development of initiatives that promote the coordination and effective transition of care between cancer care providers, primary care physicians, and mental health professionals.

''(d) FUNDING.—For each of fiscal years 2013 through 2017, the Secretary may transfer out of funds otherwise appropriated to the Department of Health and Human Services for a fiscal year the amount necessary to carry out this section.

''SEC. 417G–1. WORKFORCE DEVELOPMENT COLLABORATIVE ON MEDICAL AND PSYCHOSOCIAL CARE FOR CHILDHOOD CANCER SURVIVORS.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Pediatric, Adolescent, and Young Adult Cancer Survivorship Research and Quality of Life Act of 2011, the Secretary may convene a Workforce Development Collaborative on Medical and Psychosocial Care for Pediatric Cancer Survivors (referred to in this paragraph as the 'Collaborative'). The Collaborative shall be a cross-specialty, multidisciplinary group composed of educators, consumer and family advocates, and providers of psychosocial and biomedical health services.

''(b) GOALS AND REPORTS.—The Collaborative shall submit to the Secretary a report establishing a plan to meet the following objectives for medical and psychosocial care workforce development:

''(1) Identifying, refining, and broadly disseminating to healthcare educators information about workforce competencies, models, and preservices curricula relevant to providing medical and psychosocial services to individuals with pediatric cancers.

''(2) Adapting curricula for continuing education of the existing workforce using efficient workplace-based learning approaches.

''(3) Developing the skills of faculty and other trainers in teaching psychosocial health care using evidence-based teaching strategies.

''(4) Strengthening the emphasis on psychosocial healthcare in educational accreditation standards and professional licensing and certification exams by recommending revisions to the relevant oversight organizations.

''(5) Evaluating the effectiveness of patient navigators in pediatric cancer survivorship care.

''(6) Evaluating the effectiveness of peer support programs in the psychosocial care of pediatric cancer patients and survivors.

''(c) FUNDING.—For each of fiscal years 2013 through 2017, the Secretary may transfer out of funds otherwise appropriated to the Department of Health and Human Services for a fiscal year the amount necessary to carry out this section.''.

(b) TECHNICAL AMENDMENT.—

(1) IN GENERAL.—Section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541) is amended by striking ''section 419C'' and inserting ''section 417C''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as if included in section 3 of the Hematological Cancer Research Investment and Education Act of 2002 (Public Law 107–172; 116 Stat. 541).

SEC. 4. GRANTS TO IMPROVE CARE FOR PEDIATRIC CANCER SURVIVORS.

Section 417E of the Public Health Service Act (42 U.S.C. 285a–11) is amended—

(1) in the heading, by striking ''**RESEARCH AND AWARENESS**'' and inserting ''**RESEARCH, AWARENESS, AND SURVIVORSHIP**'';

(2) in subsection (a)—

(A) by redesignating paragraph (2) as paragraph (4); and

(B) by inserting after paragraph (1) the following:

''(2) RESEARCH ON CAUSES OF HEALTH DISPARITIES IN PEDIATRIC CANCER SURVIVORSHIP.—

''(A) GRANTS.—The Director of NIH, acting through the Director of the Institute, in coordination with ongoing research activities, may make grants to entities to conduct research relating to—

''(i) needs and outcomes of pediatric cancer survivors within minority or other medically underserved populations;

''(ii) health disparities in pediatric cancer survivorship outcomes within minority or other medically underserved populations;

''(iii) barriers that pediatric cancer survivors within minority or other medically underserved populations face in receiving follow-up care; and

''(iv) familial, socioeconomic, and other environmental factors and the impact of such factors on treatment outcomes and survivorship.

''(B) BALANCED APPROACH.—In making grants for research under subparagraph (A)(i) on pediatric cancer survivors within minority or other medically underserved populations, the Director of NIH shall ensure that such research addresses both the physical and the psychological needs of such survivors.

''(3) RESEARCH ON LATE EFFECTS AND FOLLOW-UP CARE FOR PEDIATRIC CANCER SURVIVORS.—The Director of NIH, in coordination with ongoing research activities, shall conduct or support research on follow-up care for pediatric cancer survivors, with special emphasis given to—

''(A) the development of indicators used for long-term patient tracking and analysis of the late effects of cancer treatment for pediatric cancer survivors;

''(B) the identification of risk factors associated with the late effects of cancer treatment;

''(C) the identification of predictors of neurocognitive and psychosocial outcomes;

''(D) initiatives to protect cancer survivors from the late effects of cancer treatment;

''(E) transitions in care for pediatric cancer survivors;

''(F) training of professionals to provide linguistically and culturally competent follow-up care to pediatric cancer survivors; and

''(G) different models of follow-up care.''; and

(3) in subsection (d), by striking ''2013'' and inserting ''2017''.

By Mr. MENENDEZ (for himself and Mr. ENZI):

S. 1616. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Finance.

Mr. MENENDEZ. Mr. President, I rise to introduce a critical bill for our economic recovery. As communities across the country continue to recover from the economic downturn and devastating falling property values, commercial real estate properties throughout the nation are confronting a severe equity crisis. Just as the crash in the residential real estate market triggered the most severe economic recession in generations, the looming crisis in the commercial real estate market, if left unchecked, could prove to be devastating for our fragile economic recovery.

Studies have shown that more than $1 trillion of commercial real estate loans will be maturing in just the next few years. In fact, by 2018 more than $2.4 trillion dollars of loans held by insurance companies, thrifts, banks, and in commercial mortgage-backed securities will mature. Just as we saw with home mortgages, if these borrowers can't secure other funding options when these payments come due, commercial properties across the country will go into foreclosure, leaving communities with even more vacant storefronts, less jobs, lower tax revenues, and a deeper economic hole to dig themselves out of.

Simply put, the commercial real estate industry has an equity problem too large for domestic investment alone to solve.

Unfortunately, certain tax rules—most of which were drafted 30 years ago, before the current crisis could be foreseen—impose significant penalties on foreign investments in domestic real estate that do not exist on other types of U.S. investments such as corporate stocks and bonds. As a result, overseas investors are discouraged from investing in U.S. real estate at a time when their capital is sorely needed.

These rules, created by the Foreign Investment in Real Property Tax Act, or FIRPTA as it is come to be known, freeze out foreign investment in our real estate markets by imposing an arbitrary withholding tax on the gains realized by overseas capital invested in domestic properties.

Not only is this different treatment questionable as a policy, it is damaging to the economy. At no point have these rules been more damaging to the economy than today. They continue to keep capital out of the U.S. at a time when commercial real estate in all of our communities desperately needs the equity investment.

If these rules are not reformed, it is a real possibility that hundreds of billions of dollars in debt would go into default, triggering massive foreclosures, significant decreases in property values and a severe constriction of capital available for U.S. consumers and businesses—absolutely the last thing this economy needs right now.

That is why today, Senator ENZI and I are introducing bipartisan, bicameral legislation that would implement efficient and meaningful reform of these tax rules to encourage more equity investment in U.S. real estate.

These reforms would help save communities all across America from the drag of a wave of commercial real estate foreclosures, help to restart the credit markets, and free up capital to create jobs and economic opportunities for families in every region of the country.

These provisions are modest but effective.

We are not tackling the bigger question of whether or not the existing FIRPTA rules are effective in a 21st century economy. This legislation simply creates targeted opportunities for investment in American real estate while preserving the underlying foreign ownership limits imposed by these tax rules.

We may not agree on a whole lot these days, but today we offer a bipartisan, bicameral solution to help the U.S. economy. I hope all of my colleagues can take the time to look at this bill, understand the positive effects it will have for every State, and we can get this done for the American people.

By Mr. REED (for himself, Mr. JOHANNS, Mrs. BOXER, Mr. MERKLEY, and Mr. FRANKEN):

S. 1617. A bill to establish the Council on Healthy Housing and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, I introduce with my colleague Senator JOHANNS, the Healthy Housing Council Act. I thank Senators BOXER, MERKLEY, and FRANKEN for joining us as original cosponsors of this bill.

Many factors impact health and wellness. Typically, doctors and other health professionals are able to counsel patients on the importance of exercise and healthy eating, for example, to prevent diseases and conditions. Too frequently, however, these providers overlook the possibility of housing-related health hazards that patients knowingly or unknowingly come into contact with, which can also cause a variety of preventable diseases and conditions like cancer, lead poisoning, and asthma.

While there are many programs in place to address these hazards, these programs are fragmented and spread across many agencies. Our legislation, the Healthy Housing Council Act, would establish an independent interagency Council on Healthy Housing in the executive branch in order to improve the coordination of existing but fragmented programs, bringing these various efforts out of their respective silos and reducing duplication to improve the efficiency and efficacy of these efforts.

Through periodic meetings, Federal, State, and local government representatives, along with industry and nonprofit representatives will meet to discuss ways to educate individuals and families on how to recognize housing-related health hazards and access the necessary services and preventive measures to combat these hazards. This collaboration is particularly critical as every member of the council

will bring a different perspective to the table on how to review, monitor, and evaluate existing housing, health, energy, and environmental programs and work together to collectively improve these programs for the future. Then, in order to ensure that members of the public are informed of and benefit from the council's activities, the council would hold biannual stakeholder meetings, maintain an updated website, and work to unify healthy housing data collection and maintenance.

It is our goal for this council to help reduce the more than 5.7 million households living in conditions with moderate or severe health hazards, 23 million additional homes with lead-based paint hazards, 14,000 unintentional injury and fire deaths every year that result from housing-related hazards, and 21,000 radon-associated lung cancer deaths every year. Indeed, the council will help us embark on a path to assure that affordable and decent homes are also healthy.

This council could also be critical in helping to curb overall health care expenditures. For example, the annual cost of environmentally attributable childhood diseases, including cancer, lead poisoning, and cancer was $76 billion in 2008 dollars, 3.5 percent of total health costs. Low-income and minority individuals and families who are disproportionately affected by housing-related health hazards are the same individuals and families who are typically enrolled in Medicaid or forgo insurance altogether, which costs Federal and States governments. Helping to improve housing conditions can help prevent an estimated 250,000 children under the age of 6 from having elevated blood levels each year, nearly 10,000 emergency department visits for carbon monoxide exposure, and 12.3 million asthma attacks. Keeping children out of the doctor's office and emergency rooms will save families and the government money.

As Congress continues to explore methods to reduce spending and reign in our deficit and improve the health of individuals, children, and families, promoting low-cost measures to eliminate subpar housing can make a dramatic and meaningful difference, and I urge my colleagues to join me and Senators JOHANNS, BOXER, MERKLEY, and FRANKEN in supporting this bipartisan bill and other healthy housing efforts.

Mr. President I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1617

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Healthy Housing Council Act of 2011''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) In the United States—

(A) 5,757,000 households live in homes with moderate or severe physical hazards;

(B) 23,000,000 homes have significant lead-based paint hazards;

(C) 6,000,000 homes have had signs of mice in the last 3 months; and

(D) 1 in 15 homes have dangerous levels of radon.

(2) Residents of housing that is poorly designed, constructed, or maintained are at risk for cancer, carbon monoxide poisoning, burns, falls, rodent bites, childhood lead poisoning, asthma, and other illnesses and injuries. Vulnerable subpopulations, such as children and the elderly, are at elevated risk for housing-related illnesses and injuries.

(3) Because substandard housing typically poses the greatest risks, the disparities in the distribution of housing-related health hazards are striking. One million two hundred thousand housing units with significant lead-based paint hazards house low-income families with children under 6 years of age.

(4) Housing-related illnesses, including asthma and lead poisoning, disproportionately affect children from lower-income families and from specific racial and ethnic groups. The prevalence of being diagnosed with asthma in a lifetime is 24 percent among Puerto Rican children, 10.1 percent for Mexican-American children, 12.4 percent for non-Hispanic White children, and 21.8 percent for non-Hispanic Black children. Black children are twice as likely to die from residential injuries as White children, and 3 percent of Black children and 2 percent of Mexican-American children have elevated blood lead levels, as compared to only 1.3 percent of White children.

(5) The annual costs for environmentally attributable childhood diseases in the United States, including lead poisoning, asthma, and cancer, total $76,000,000,000 in 2008 dollars. This amount is approximately 3.5 percent of total health care costs.

(6) Appropriate housing design, construction, and maintenance, timely correction of deficiencies, planning efforts, and low-cost preventive measures can reduce the incidence of serious injury or death, improve the ability of residents to survive in the event of a major catastrophe, and contribute to overall well-being and mental health. Lead hazard control in homes with lead-based paint hazards can reduce children's blood lead levels by as much as 34 percent. Properly installed and maintained smoke alarms reduce the risk of fire deaths by 50 percent.

(7) Providing healthy housing to families and individuals in the United States will help prevent an estimated 250,000 children from having elevated blood lead levels, 18,000 injury deaths, 12,000,000 nonfatal injuries, 3,000 deaths in house fires, 9,600 emergency department visits for carbon monoxide exposure, and 21,000 radon-associated lung cancer deaths that occur in United States housing each year, as well as 12,300,000 asthma attacks, and 14,000,000 missed school days.

(8) While there are many programs in place to address housing-related health hazards, these programs are fragmented and spread across many agencies, making it difficult for at-risk families and individuals to access assistance or to receive comprehensive information.

(9) Better coordination among Federal agencies is needed, as is better coordination at State and local levels, to ensure that families and individuals can access government programs and services in an effective and efficient manner.

SEC. 3. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) COUNCIL.—The term ''Council'' means the Interagency Council on Healthy Housing established under section 4.

(2) HEALTHY HOUSING.—The term ''healthy housing'' means housing that is designed, constructed, rehabilitated, and maintained in a manner that supports the health of the occupants of such housing.

(3) HOUSING.—The term ''housing'' means any form of residence, including rental housing, homeownership, group home, or supportive housing arrangement.

(4) HOUSING-RELATED HEALTH HAZARD.—The term ''housing-related health hazard'' means any biological, physical, or chemical source of exposure or condition either in, or immediately adjacent to, housing, that can adversely affect human health.

(5) LOW-INCOME FAMILIES AND INDIVIDUALS.—The term ''low-income families and individuals'' means any household or individual with an income at or below 200 percent of the Federal poverty line.

(6) POVERTY LINE.—The term ''poverty line'' means the official poverty line defined by the Office of Management and Budget based on the most recent data available from the Bureau of the Census.

(7) PROGRAM.—The term ''program'' includes any Federal, State, or local program providing housing or financial assistance, health care, mortgages, bond and tax financing, homebuyer support courses, financial education, mortgage insurance or loan guarantees, housing counseling, supportive services, energy assistance, or other assistance related to healthy housing.

(8) SERVICE.—The term ''service'' includes public and environmental health services, housing services, energy efficiency services, human services, and any other services needed to ensure that families and individuals in the United States have access to healthy housing.

SEC. 4. INTERAGENCY COUNCIL ON HEALTHY HOUSING.

(a) ESTABLISHMENT.—There is established in the executive branch an independent council to be known as the Interagency Council on Healthy Housing.

(b) OBJECTIVES.—The objectives of the Council are as follows:

(1) To promote the supply of and demand for healthy housing in the United States through capacity building, technical assistance, education, and public policy.

(2) To promote coordination and collaboration among the Federal departments and agencies involved with housing, public health, energy efficiency, emergency preparedness and response, and the environment to improve services for families and individuals residing in inadequate or unsafe housing and to make recommendations about needed changes in programs and services with an emphasis on—

(A) maximizing the impact of existing programs and services by transitioning the focus of such programs and services from categorical approaches to comprehensive approaches that consider and address multiple housing-related health hazards;

(B) reducing or eliminating areas of overlap and duplication in the provision and accessibility of such programs and services;

(C) ensuring that resources, including assistance with capacity building, are targeted to and sufficient to meet the needs of high-risk communities, families, and individuals; and

(D) facilitating access by families and individuals to programs and services that help reduce health hazards in housing.

(3) To identify knowledge gaps, research needs, and policy and program deficiencies associated with inadequate housing conditions and housing-related illnesses and injuries.

(4) To help identify best practices for achieving and sustaining healthy housing.

(5) To help improve the quality of existing and newly constructed housing and related programs and services, including those programs and services which serve low-income families and individuals.

(6) To establish an ongoing system of coordination among and within such agencies or organizations so that the healthy housing needs of families and individuals are met in a more effective and efficient manner.

(c) MEMBERSHIP.—The Council shall be composed of the following members:

(1) The Secretary of Health and Human Services.

(2) The Secretary of Housing and Urban Development.

(3) The Administrator of the Environmental Protection Agency.

(4) The Secretary of Energy.

(5) The Secretary of Labor.

(6) The Secretary of Veterans Affairs.

(7) The Secretary of the Treasury.

(8) The Secretary of Agriculture.

(9) The Secretary of Education.

(10) The head of any other Federal agency as the Council considers appropriate.

(11) Six additional non-Federal employee members, as appointed by the President to serve terms not to exceed 2 years, of whom—

(A) 1 shall be a State or local Government Director of Health or the Environment;

(B) 1 shall be a State or local Government Director of Housing or Community Development;

(C) 2 shall represent nonprofit organizations involved in housing or health issues; and

(D) 2 shall represent for-profit entities involved in the housing, banking, or health insurance industries.

(d) CO-CHAIRPERSONS.—The co-Chairpersons of the Council shall be the Secretary of Housing and Urban Development and the Secretary of Health and Human Services.

(e) VICE CHAIR.—Every 2 years, the Council shall elect a Vice Chair from among its members.

(f) MEETINGS.—The Council shall meet at the call of either co-Chairperson or a majority of its members at any time, and no less often than annually.

SEC. 5. FUNCTIONS OF THE COUNCIL.

(a) RELEVANT ACTIVITIES.—In carrying out the objectives described in section 4(b), the Council shall—

(1) review Federal programs and services that provide housing, health, energy, or environmental services to families and individuals;

(2) monitor, evaluate, and recommend improvements in programs and services administered, funded, or financed by Federal, State, and local agencies to assist families and individuals in accessing healthy housing and make recommendations about how such agencies can better work to meet the healthy housing and related needs of low-income families and individuals; and

(3) recommend ways to—

(A) reduce duplication among programs and services by Federal agencies that assist families and individuals in meeting their healthy housing and related service needs;

(B) ensure collaboration among and within agencies in the provision and availability of programs and services so that families and individuals are able to easily access needed programs and services;

(C) work with States and local governments to better meet the needs of families and individuals for healthy housing by—

(i) holding meetings with State and local representatives; and

(ii) providing ongoing technical assistance and training to States and localities in better meeting the housing-related needs of such families and individuals;

(D) identify best practices for programs and services that assist families and individuals in accessing healthy housing, including model—

(i) programs linking housing, health, environmental, human, and energy services;

(ii) housing and remodeling financing products offered by government, quasi-government, and private sector entities;

(iii) housing and building codes and regulatory practices;

(iv) existing and new consensus specifications and work practices documents;

(v) capacity building and training programs that help increase and diversify the supply of practitioners who perform assessments of housing-related health hazards and interventions to address housing-related health hazards; and

(vi) programs that increase community awareness of, and education on, housing-related health hazards and available assessments and interventions;

(E) develop a comprehensive healthy housing research agenda that considers health, safety, environmental, and energy factors, to—

(i) identify cost-effective assessments and treatment protocols for housing-related health hazards in existing housing;

(ii) establish links between housing hazards and health outcomes;

(iii) track housing-related health problems including injuries, illnesses, and death;

(iv) track housing conditions that may be associated with health problems;

(v) identify cost-effective protocols for construction of new healthy housing; and

(vi) identify replicable and effective programs or strategies for addressing housing-related health hazards;

(4) hold biannual meetings with stakeholders and other interested parties in a location convenient for such stakeholders, or hold open Council meetings, to receive input and ideas about how to best meet the healthy housing needs of families and individuals;

(5) maintain an updated website of policies, meetings, best practices, programs and services, making use of existing websites as appropriate, to keep people informed of the activities of the Council; and

(6) work with member agencies to collect and maintain data on housing-related health hazards, illnesses, and injuries so that all data can be accessed in 1 place and to identify and address unmet data needs.

(b) REPORTS.—

(1) BY MEMBERS.—Each year the head of each agency who is a member of the Council shall prepare and transmit to the Council a report that briefly summarizes—

(A) each healthy housing-related program and service administered by the agency and the number of families and individuals served by each program or service, the resources available in each program or service, and a breakdown of where each program and service can be accessed;

(B) the barriers and impediments, including statutory or regulatory, to the access and use of such programs and services by families and individuals, with particular attention to the barriers and impediments experienced by low-income families and individuals;

(C) the efforts made by the agency to increase opportunities for families and individuals, including low-income families and individuals, to reside in healthy housing, including how the agency is working with other agencies to better coordinate programs and services; and

(D) any new data collected by the agency relating to the healthy housing needs of families and individuals.

(2) BY THE COUNCIL.—Each year, the Council shall prepare and transmit to the President and the Congress, a report that—

(A) summarizes the reports required in paragraph (1);

(B) utilizes recent data to assess the nature of housing-related health hazards, and associated illnesses and injuries, in the United States;

(C) provides a comprehensive and detailed description of the programs and services of the Federal Government in meeting the needs and problems described in subparagraph (B);

(D) describes the activities and accomplishments of the Council in working with Federal, State, and local governments, nonprofit organizations and for-profit entities in coordinating programs and services to meet the needs described in subparagraph (B) and the resources available to meet those needs;

(E) assesses the level of Federal assistance required to meet the needs described in subparagraph (B); and

(F) makes recommendations for appropriate legislative and administrative actions to meet the needs described in subparagraph (B) and for coordinating programs and services designed to meet those needs.

SEC. 6. POWERS OF THE COUNCIL.

(a) HEARINGS.—The Council may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Council considers advisable to carry out the purposes of this Act.

(b) INFORMATION FROM AGENCIES.—Agencies which are represented on the Council shall provide all requested information and data to the Council as requested.

(c) POSTAL SERVICES.—The Council may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) CONTRACTS AND INTERAGENCY AGREEMENTS.—The Council may enter into contracts with State, Tribal, and local governments, public agencies and private-sector entities, and into interagency agreements with Federal agencies. Such contracts and interagency agreements may be single-year or multi-year in duration.

SEC. 7. COUNCIL PERSONNEL MATTERS.

(a) STAFF.—

(1) EXECUTIVE DIRECTOR.—The Council shall appoint an Executive Director at its initial meeting. The Executive Director shall be compensated at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) COMPENSATION.—With the approval of the Council, the Executive Director may appoint and fix the compensation of such additional personnel as the Executive Director considers necessary to carry out the duties of the Council, except that the rate of pay for any such additional personnel may not exceed the rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

(b) TEMPORARY AND INTERMITTENT SERVICES.—In carrying out its objectives, the Executive Director with the approval of the Council, may procure temporary and intermittent services of consultants and experts under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

(c) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the Council, any Federal Government employee may be detailed to the Council with reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) ADMINISTRATIVE SUPPORT.—The Secretary of Housing and Urban Development shall provide the Council with such administrative (including office space) and support services as are necessary to ensure that the Council can carry out its functions in an efficient and expeditious manner.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act, $750,000 for each of fiscal years 2012 through 2016.

(b) AVAILABILITY.—Amounts authorized to be appropriated by subsection (a) shall remain available for the 2 fiscal years following such appropriation.

By Mr. MENENDEZ (for himself, Mr. REED, Mr. BENNET. Mr. HARKIN, Mr. LAUTENBERG, Mr. FRANKEN, Mr. MERKLEY, Mr. SANDERS, Mr. BLUMENTHAL, Mr. WYDEN, Mr. DURBIN, Mr. CARDIN, Mr. AKAKA, Mr. WHITEHOUSE, Mr. COONS, Mrs. SHAHEEN, Ms. LANDRIEU, and Mr. LEAHY):

S. 1621. A bill to create livable communities through coordinated public investment and streamlined requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MENENDEZ. Mr. President, I rise to announce the introduction of the Livable Communities Act of 2011.

The Livable Communities Act presents an opportunity to save taxpayer dollars, reduce household expenditures, improve partnerships, and help local communities create places of lasting value, where businesses want to invest and families want to live.

It will strengthen rural, suburban, and urban communities by supporting local planning efforts to establish a vision for a desired future and chart a realistic course for getting there. The bill promotes local leadership by encouraging communities to partner strategically to develop solutions that are innovative and reflect their unique character, assets, and needs. It also directs public agencies to use taxpayer dollars more efficiently by coordinating investments in infrastructure, facilities, and services to meet multiple economic, environmental, and community objectives.

This bill is the next important step in transforming the Federal Government into a better partner in community efforts to achieve locally-defined goals, support families when they need it most, and keep the U.S. competitive in the global economy.

Dealing with change can be a real challenge—in our professional and personal lives, with our families, and in our communities. But change is an opportunity to move forward, if only we are open to recognizing it. We can accept and manage change or we can be steam-rolled by it.

I have heard horror stories from across the country about veterans hospitals being built in places that are not accessible by public transportation. I have heard of homebuyers who ''drive to qualify'' for mortgage financing only to rack up transportation costs that break their budgets when gas prices go up. Many of these families are paying 50 percent of their household income on housing and transportation costs alone. It may seem cheaper and easier in the short term to build on a corn field outside of town than it is to re-use land located close to existing transportation, power, and water infrastructure, but it often does not make sense in the long run.

This is why I welcomed the opportunity to work with Chairman Dodd on the Livable Communities Act in 2009 and why I am honored to be the leading sponsor of the updated legislation today. It is the most comprehensive piece of planning legislation that has been proposed in decades. If passed, it will have a transformative impact on the way the federal government supports locally-driven planning processes.

Unfortunately, when many on the other side of the aisle hear the word ''livable,'' they cringe. They think of top-down mandates from the Federal Government. What they fail to understand is that the beauty of what is ''livable'' is defined by the communities themselves to reflect the unique character, assets, and needs of that community.

The fact is the private sector wants to be located in communities that have dependable transportation systems to get their goods to market and their workers to their jobs. Businesses want to attract and retain workers and ensure that their enterprise will be viable in the long run. Private enterprise has spearheaded some of the most notable past and current planning efforts and the Federal Government should be a supportive, versatile partner in this work.

I invited bipartisan cooperation on the bill numerous times and although some offices quietly praise the good work going on in their communities, political pressure prevents them from doing so publicly. We remain optimistic that supporting community efforts to proactively plan for the future and save money by coordinating capital investment strategies are values we all support, regardless of the terminology we use to describe them.

The Livable Communities Act of 2011 is a streamlined approach that would keep the good work at the U.S. Department of Housing and Urban Development going. Its intent is to find better ways to coordinate interconnected but often silo-ed programs and policies that impact housing, transportation, and the environment and affect the way we live our daily lives.

The bill would formally authorize the existing HUD Office of Sustainable Housing and Communities, to work with the Department of Transportation and Environmental Protection Agency, to provide technical assistance and capacity support to communities working on integrated planning for housing, transportation, water and sewer infrastructure needs. These tools help communities develop projects that support job creation, leverage significant private sector investment, and bolster long-term economic resilience by creating places where businesses want to invest. Increased coordination at the regional and Federal level will cut red tape and save communities money as they plan for their future needs. The bill also directs the Office of Sustainable Housing and Communities to provide best practices and technical assistance to ensure that communities of all sizes learn from each other's success.

The Livable Communities Act of 2011 also directs HUD to coordinate with DOT and EPA to identify and eliminate Federal barriers to sustainable development. The Office of Sustainable Housing and Communities will coordinate Federal sustainable development policies and research agendas to facilitate Federal collaboration by streamlining and reconciling program requirements and policies. It will also administer grant programs to support local planning for long-term housing and infrastructure needs. This will enable communities to foster economic development in an efficient and inclusive way. Selection criteria and eligible activities would be flexible to allow all sizes and types of communities to plan for a more sustainable future, including job creation; revitalizing existing small town Main Streets; reducing traffic congestion and pollution; protecting farmland, working landscapes, and green space; addressing vacant, abandoned, and foreclosed properties; and building more affordable and healthy housing.

The bill would also spur private investment in transit-oriented development, TOD, by helping communities overcome initial financing hurdles that so often lock up private investment and prevent desired transit-oriented, mixed-use development. Locally directed TOD provides numerous economic benefits, including increased property values and business activity as well as congestion reduction. TOD also promotes economic competitiveness by efficiently connecting our work force to educational and employment opportunities. This creates avenues for business growth in communities across the country and keeps America competitive in the global economy.

I know how important planning is to our communities. My home State of New Jersey is the most densely populated in the country, so we know the value of good community planning. Over the years we have learned some important lessons about how vital it is to make sure that our development projects are functional, serviceable, and livable at the human scale, places where people feel safe, where they want to spend time, relax as well as work—places where they can live, shop, and be connected to their surroundings. If this economic crisis is teaching us anything, it is to live within our means,

think creatively about opportunities to leverage resources, and to invest now for future prosperity.

Good planning means saving $122 billion on water, sewer, and roads over the next 25 years. It means protecting housing values by putting housing near transit. As President Obama remarked over two years ago, our days of building mindless sprawl are over. We simply cannot afford it. Now is the time to reinvest in our communities and infrastructure. The HUD-DOT-EPA Partnership for Sustainable Communities is doing this in a very active way. There are many members of Congress who support this important work, but we need to convince more of them that we are right, and that—for the good of their communities—they should be on our side.

The fact is, we all have a role to play. The environment is substantially different today than it was ten years ago—twenty years ago when I was trying to get people on board with the idea reactivating an existing right of way to serve as the Hudson Bergen Light Rail when I was Mayor of Union City.

Today, communities are catching on. Innovation is happening. The Federal Government can be an important partner in helping communities achieve their goals. I can tell you that in Jersey City, ''livable'' means the transforming 111 acres of under-utilized industrial land into a mixed use, walkable community along the Hudson Bergen Light Rail. A quiet revolution is underway and communities like Jersey City are leading by example. It's time for the Federal Government to catch up.

It is our job—together—all of us—to provide the information, tools, and encouragement these communities need, that Federal, State, and local agencies and elected officials need—to achieve the aspirations that they set for themselves.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1621

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Livable Communities Act of 2011''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) When rural, suburban, and urban communities plan transportation, housing, and water infrastructure strategically it is estimated that these communities could save nearly $122,000,000,000 in infrastructure costs over the next 25 years.

(2) Key Federal programs are missing a vital opportunity to boost economic growth at the local and regional level through better coordination of housing, transportation, and related infrastructure investments.

(3) Federal regulations and policies should support community efforts to implement and sustain progress toward the achievement of locally-defined development goals, in terms of—

(A) geographic location and proximity to existing resources; and

(B) maintaining structural and indoor environmental quality and minimizing health hazards.

(4) Greater coordination of public investment will provide direct support for immediate job creation and lay the groundwork for long-term resilience and prosperity by leveraging significant private sector and philanthropic investment to make the most of Federal funding.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to strengthen rural, suburban, and urban economies by enabling communities to establish goals for the future and to chart a course for achieving such goals;

(2) to promote local leadership by encouraging communities to develop innovative solutions that reflect the unique economic assets and needs of the communities;

(3) to maximize returns on Federal funding of housing, transportation, and other infrastructure projects through the coordination of Federal grant programs, regulations, and requirements, by reducing the number of duplicative Federal programs and improving the efficiency and effectiveness of programs and policies of the Department of Housing and Urban Development, the Department of Transportation, the Environmental Protection Agency, and other Federal agencies, as appropriate; and

(4) to ensure that Federal funding supports locally defined long range development goals.

SEC. 4. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) AFFORDABLE HOUSING.—The term ''affordable housing'' means housing, the cost of which does not exceed 30 percent of the income of a family.

(2) COMPREHENSIVE REGIONAL PLAN.—The term ''comprehensive regional plan'' means a plan that—

(A) uses a cooperative, locally controlled and inclusive public engagement process to identify needs and goals across a region and to integrate related planning processes;

(B) prioritizes projects for implementation, including healthy housing projects; and

(C) is tied to short-term capital improvement programs and annual budgets.

(3) DEPARTMENT.—The term ''Department'' means the Department of Housing and Urban Development.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Sustainable Housing and Communities established under section 5.

(5) EXTREMELY LOW-INCOME FAMILY.—The term ''extremely low-income family'' means a family that has an income that does not exceed—

(A) 30 percent of the median income in the area where the family lives, as determined by the Secretary, with appropriate adjustments for the size of the family; or

(B) a percentage of the median income in the area where the family lives, as determined by the Secretary upon a finding by the Secretary that such percentage is necessary due to unusually high or low family incomes in the area where the family lives.

(6) HEALTHY HOUSING.—The term ''healthy housing'' means housing that is designed, constructed, rehabilitated, and maintained in a manner that supports the health of the occupants of the housing.

(7) HOUSING-RELATED HEALTH HAZARD.—The term ''housing-related health hazard'' means any biological, physical, or chemical source of exposure or condition in, or immediately adjacent to, housing that could adversely affect human health.

(8) INDIAN TRIBE.—The term ''Indian tribe'' has the same meaning as in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(9) LIVABLE COMMUNITY.—The term ''livable community'' means a metropolitan, urban, suburban, or rural community that—

(A) provides safe, reliable, and accessible transportation choices;

(B) provides long-term affordable, accessible, energy-efficient, and location-efficient housing choices for people of all ages, incomes, races, and ethnicities;

(C) supports, revitalizes, and encourages the growth of existing communities and maximizes the cost-effectiveness of existing infrastructure;

(D) promotes economic development and economic competitiveness;

(E) preserves the environment and natural resources;

(F) protects agricultural land, rural land, and green spaces; and

(G) supports public health and improves the quality of life for residents of, and workers in, the community.

(10) LOCATION-EFFICIENT.—The term ''location-efficient'' characterizes mixed-use development or neighborhoods that integrate housing, commercial development, and facilities and amenities—

(A) to lower living expenses for working families;

(B) to enhance mobility;

(C) to encourage private investment in transit-oriented development; and

(D) to encourage private sector infill development and maximize the use of existing infrastructure.

(11) LOW-INCOME FAMILY.—The term ''low-income family'' has the meaning given that term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(12) METROPOLITAN PLANNING ORGANIZATION.—The term ''metropolitan planning organization'' means a metropolitan planning organization described in section 134(b) of title 23, United States Code or section 5303(b) of title 49, United States Code.

(13) OFFICE.—The term ''Office'' means the Office of Sustainable Housing and Communities established under section 5.

(14) REGIONAL COUNCIL.—The term ''regional council'' means a multiservice regional organization with State and locally defined boundaries that is—

(A) accountable to units of general local government;

(B) delivers a variety of Federal, State, and local programs; and

(C) performs planning functions and provides professional and technical assistance.

(15) RURAL PLANNING ORGANIZATION.—The term ''rural planning organization'' means a voluntary regional organization of local elected officials and representatives of local transportation systems that—

(A) works in cooperation with the department of transportation (or equivalent entity) of a State to plan transportation networks and advise officials of the State on transportation planning; and

(B) is located in a rural area—

(i) with a population of not less than 5,000; and

(ii) that is not located in an area represented by a metropolitan planning organization.

(16) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(17) STATE.—The term ''State'' has the meaning given that term by the Secretary, by rule.

(18) TRANSIT-ORIENTED DEVELOPMENT.—The term ''transit-oriented development'' means high-density, walkable, location-efficient, mixed-use development, including commercial development, affordable housing, and market-rate housing, that is within walking distance of and accessible to 1 or more public transportation facilities.

(19) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ''unit of general local government'' means—

(A) a city, county, town, township, parish, village, or other general purpose political subdivision of a State; or

(B) a combination of general purpose political subdivisions, as determined by the Secretary.

(20) UNIT OF SPECIAL PURPOSE LOCAL GOVERNMENT.—The term ''unit of special purpose local government''—

(A) means a division of a unit of general purpose government that serves a special purpose and does not provide a broad array of services; and

(B) includes an entity such as a school district, a housing agency, a transit agency, and a parks and recreation district.

(21) VERY LOW-INCOME FAMILY.—The term ''very low-income family'' has the same meaning as in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

SEC. 5. OFFICE OF SUSTAINABLE HOUSING AND COMMUNITIES.

(a) OFFICE ESTABLISHED.—There is established in the Department an Office of Sustainable Housing and Communities, which shall—

(1) coordinate Federal policies that—

(A) encourage locally directed comprehensive and integrated planning and development at the State, regional, and local levels;

(B) encourage coordinated public investments through the development of comprehensive regional plans;

(C) provide long-term affordable, accessible, energy-efficient, healthy, location-efficient housing choices for people of all ages, incomes, races, and ethnicities, particularly for low-, very low-, and extremely low-income families; and

(D) achieve other goals consistent with the purposes of this Act;

(2) review Federal programs and policies to determine barriers to interagency collaboration and make recommendations to promote the ability of local communities to access resources in the Department and throughout the Federal Government and coordinate with and conduct outreach to Federal agencies, including the Department of Transportation and the Environmental Protection Agency, on methods to reduce duplicative programs and improve the efficiency and effectiveness of programs within the Department of Transportation, the Environmental Protection Agency, and the Department of Housing and Urban Development;

(3) conduct research and advise the Secretary on the research agenda of the Department relating to coordinated development, in collaboration with the Office of Policy Development and Research of the Department;

(4) implement and oversee the grant programs established under this Act by—

(A) developing the process and format for grant applications for each grant program;

(B) promulgating regulations or guidance relating to each grant program;

(C) selecting recipients of grants under each grant program;

(D) creating performance measures for recipients of grants under each grant program;

(E) developing technical assistance and other guidance to assist recipients of grants and potential applicants for grants under each grant program;

(F) monitoring and evaluating the performance of recipients of grants under each grant program; and

(G) carrying out such other activities relating to the administration of the grant programs under this Act as the Secretary determines are necessary;

(5) provide guidance, information on best practices, and technical assistance to communities seeking to adopt sustainable development policies and practices;

(6) administer initiatives of the Department relating to the policies described in paragraph (1), as determined by the Secretary; and

(7) work with the Federal Transit Administration of the Department of Transportation and other offices and administrations of the Department of Transportation, as appropriate—

(A) to encourage transit-oriented development; and

(B) to coordinate Federal housing, community development, and transportation policies, including the policies described in paragraph (1).

(b) DIRECTOR.—The head of the Office shall be the Director of the Office of Sustainable Housing and Communities.

(c) DUTIES RELATING TO GRANT PROGRAMS.—

(1) IN GENERAL.—The Director shall carry out the grant programs established under this Act.

(2) SMALL AND RURAL COMMUNITIES GRANTS PROGRAM.—The Director shall coordinate with the Secretary of Agriculture to make grants to small and rural communities under sections 7 and 8.

(3) TECHNICAL ASSISTANCE FOR GRANT RECIPIENTS AND APPLICANTS.—The Director may—

(A) coordinate with other Federal agencies to establish interagency and multidisciplinary teams to provide technical assistance to recipients of, and prospective applicants for, grants under this Act;

(B) by Federal interagency agreement, transfer funds to another Federal agency to facilitate and support technical assistance; and

(C) make contracts with third parties to provide technical assistance to grant recipients and prospective applicants for grants.

SEC. 6. COMPREHENSIVE PLANNING GRANT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the term ''consortium of units of general local governments'' means a consortium of geographically contiguous units of general local government that the Secretary determines—

(A) represents all or part of a metropolitan statistical area, a micropolitan statistical area, or a noncore area;

(B) has the authority under State, tribal, or local law to carry out planning activities, including surveys, land use studies, environmental or public health analyses, and development of urban revitalization plans; and

(C) has provided documentation to the Secretary sufficient to demonstrate that the purpose of the consortium is to carry out a project using a grant awarded under this Act;

(2) the term ''eligible entity'' means—

(A) a partnership between a consortium of units of general local government and an eligible partner; or

(B) an Indian tribe, if—

(i) the Indian tribe has—

(I) a tribal entity that performs housing and land use planning functions; and

(II) a tribal entity that performs transportation and transportation planning functions; and

(ii) the Secretary determines that the isolated location and land expanse of the Indian tribe require the Secretary to treat the tribe as an eligible entity for purposes of carrying out activities using a grant under this section;

(3) the term ''eligible partner'' means—

(A) a metropolitan planning organization, a rural planning organization, or a regional council; or

(B) a metropolitan planning organization, a rural planning organization, or a regional council, and—

(i) a State;

(ii) an Indian tribe;

(iii) a State and an Indian tribe; or

(iv) an institution of higher education;

(4) the term ''grant program'' means the comprehensive planning grant program established under subsection (b); and

(5) the term ''noncore area'' means a county or group of counties that are not designated by the Office of Management and Budget as a micropolitan statistical area or metropolitan statistical area.

(b) COMPREHENSIVE PLANNING GRANT PROGRAM ESTABLISHED.—The Director shall establish a comprehensive planning grant program to make grants to eligible entities to carry out a project—

(1) to coordinate locally defined planning processes, across jurisdictions and agencies;

(2) to identify regional partnerships for developing and implementing a comprehensive regional plan;

(3) to conduct or update assessments to determine regional needs and promote economic and community development;

(4) to develop or update—

(A) a comprehensive regional plan; or

(B) goals and strategies to implement an existing comprehensive regional plan and other related activities; and

(5) to identify local zoning and other code changes necessary to implement a comprehensive regional plan and promote sustainable development.

(c) GRANTS.—

(1) DIVERSITY OF GRANTEES.—The Director shall ensure geographic diversity among and adequate representation from each of the following categories:

(A) SMALL AND RURAL COMMUNITIES.—Eligible entities that represent all or part of a noncore area, a micropolitan area, or a small metropolitan statistical area with a population of not more than 200,000.

(B) MID-SIZED METROPOLITAN COMMUNITIES.—Eligible entities that represent all or part of a metropolitan statistical area with a population of more than 200,000 and not more than 500,000.

(C) LARGE METROPOLITAN COMMUNITIES.—Eligible entities that represent all or part of a metropolitan statistical area with a population of more than 500,000.

(2) AWARD OF FUNDS TO SMALL AND RURAL COMMUNITIES.—

(A) IN GENERAL.—The Director shall—

(i) award not less than 15 percent of the funds under the grant program to eligible entities described in paragraph (1)(A); and

(ii) ensure diversity among the geographic regions and the size of the population of the communities served by recipients of grants that are eligible entities described in paragraph (1)(A).

(B) INSUFFICIENT APPLICATIONS.—If the Director determines that insufficient approvable applications have been submitted by eligible entities described in paragraph (1)(A), the Director may award less than 15 percent of the funds under the grant program to eligible entities described in paragraph (1)(A).

(3) FEDERAL SHARE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Federal share of the cost of a project carried out using a grant under the grant program may not exceed 80 percent.

(B) EXCEPTIONS.—

(i) SMALL AND RURAL COMMUNITIES.—In the case of an eligible entity described in paragraph (1)(A), the Federal share of the cost of a project carried out using a grant under the grant program may be 90 percent.

(ii) INDIAN TRIBES.—In the case of an eligible entity that is an Indian tribe, the Federal share of the cost of a project carried out using a grant under the grant program may be 100 percent.

(C) NON-FEDERAL SHARE.—

(i) IN-KIND CONTRIBUTIONS.—For the purposes of this section, in-kind contributions may be used for all or part of the non-Federal share of the cost of a project carried out using a grant under the grant program.

(ii) OTHER FEDERAL FUNDING.—Federal funding from sources other than the grant program may not be used for the non-Federal share of the cost of a project carried out using a grant under the grant program.

(4) AVAILABILITY OF FUNDS.—

(A) IN GENERAL.—An eligible entity that receives a grant under the grant program shall—

(i) obligate any funds received under the grant program not later than 2 years after the date on which the grant agreement under subsection (g) is made; and

(ii) expend any funds received under the grant program not later than 4 years after the date on which the grant agreement under subsection (g) is made.

(B) UNOBLIGATED AMOUNTS.—After the date described in subparagraph (A)(i), the Secretary may award to another eligible entity, to carry out activities under this section, any amounts that an eligible entity has not obligated under subparagraph (A)(i).

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity that desires a grant under this section shall submit to the Director an application, at such time and in such manner as the Director shall prescribe, that contains—

(A) a description of the project proposed to be carried out by the eligible entity;

(B) a budget for the project that includes the anticipated Federal share of the cost of the project and a description of the source of the non-Federal share;

(C) the designation of a lead agency or organization, which may be the eligible entity, to receive and manage any funds received by the eligible entity under the grant program;

(D) a signed copy of a memorandum of understanding among local jurisdictions, including, as appropriate, a State, a tribe, units of general purpose local government, units of special purpose local government, metropolitan planning organizations, rural planning organizations, and regional councils that demonstrates—

(i) the creation of an eligible entity;

(ii) a description of the nature and extent of planned collaboration between the eligible entity and any partners of the eligible entity;

(iii) a commitment to develop a comprehensive regional plan; and

(iv) a commitment to implement the plan after the plan is developed;

(E) a certification that the eligible entity has—

(i) secured the participation, or made a good-faith effort to secure the participation, of transportation providers and public housing agencies within the area affected by the comprehensive regional plan and the entities described in clause (ii); and

(ii) created, or will create not later than 1 year after the date of the grant award, a regional advisory board to provide input and feedback on the development of the comprehensive regional plan that includes representatives of a State, the metropolitan planning organization, the rural planning organization, the regional council, local jurisdictions, non-profit organizations, and others, as deemed appropriate by the eligible entity, given the local context of the comprehensive planning effort; and

(F) a certification that the eligible entity has solicited public comment on the contents of the project description under subparagraph (A) that includes—

(i) a description of the process for receiving public comment relating to the proposal; and

(ii) such other information as the Director may require;

(G) a description of how the eligible entity will carry out the activities under subsection (f); and

(H) such additional information as the Director may require.

(2) INDIAN TRIBES.—An eligible entity that is an Indian tribe is not required to submit the certification under paragraph (1)(E).

(e) SELECTION.—In evaluating an application for a grant under the grant program, the Director shall consider the extent to which the application—

(1) demonstrates the technical capacity of the eligible entity to carry out the project;

(2) demonstrates the extent to which the consortium has developed partnerships throughout an entire region, including, as appropriate, partnerships with the entities described in subsection (d)(1)(D);

(3) demonstrates integration with local efforts in economic development and job creation;

(4) demonstrates a strategy for implementing a comprehensive regional plan through regional infrastructure investment plans and local land use plans;

(5) promotes diversity among the geographic regions and the size of the population of the communities served by recipients of grants under this section;

(6) demonstrates a commitment to seeking substantial public input during the planning process and public participation in the development of the comprehensive regional plan;

(7) demonstrates that a Federal grant is necessary to accomplish the project proposed to be carried out;

(8) minimizes the Federal share necessary to carry out the project and leverages State, local, or private resources;

(9) has a high quality overall; and

(10) demonstrates such other qualities as the Director may determine.

(f) ELIGIBLE ACTIVITIES.—An eligible entity that receives a grant under this section shall carry out a project that includes 1 or more of the following activities:

(1) Coordinating locally defined planning processes across jurisdictions and agencies.

(2) Identifying potential regional partnerships for developing and implementing a comprehensive regional plan.

(3) Conducting or updating assessments to determine regional needs, including healthy housing, and promote economic and community development.

(4) Developing or updating—

(A) a comprehensive regional plan; or

(B) goals and strategies to implement an existing comprehensive regional plan.

(5) Implementing local zoning and other code changes necessary to implement a comprehensive regional plan and promote sustainable development.

(g) GRANT AGREEMENT.—Each eligible entity that receives a grant under this section shall agree to establish, in coordination with the Director, performance measures, reporting requirements, and any other requirements that the Director determines are necessary, that must be met at the end of each year in which the eligible entity receives funds under the grant program.

(h) PUBLIC OUTREACH.—

(1) OUTREACH REQUIRED.—Each eligible entity that receives a grant under the grant program shall perform substantial outreach activities—

(A) to engage a broad cross-section of community stakeholders in the process of developing a comprehensive regional plan, including low-income families, minorities, older adults, and economically disadvantaged community members; and

(B) to create an effective means for stakeholders to participate in the development and implementation of a comprehensive regional plan.

(2) FINALIZATION OF COMPREHENSIVE REGIONAL PLAN.—

(A) IN GENERAL.—An eligible entity that receives a grant under the grant program may not finalize a comprehensive regional plan before the eligible entity holds a public hearing to obtain the views of citizens, public agencies, and other interested parties.

(B) AVAILABILITY OF INFORMATION.—Not later than 30 days before a hearing described in subparagraph (A), an eligible entity shall make the proposed comprehensive regional plan and all information relevant to the hearing available to the public for inspection during normal business hours.

(C) NOTICE.—Not later than 30 days before a hearing described in subparagraph (A), an eligible entity shall publish notice—

(i) of the hearing; and

(ii) that the information described in subparagraph (B) is available.

(i) VIOLATION OF GRANT AGREEMENT OR FAILURE TO COMPLY WITH PUBLIC OUTREACH REQUIREMENTS.—If the Director determines that an eligible entity has not met the performance measures established under subsection (g), is not making reasonable progress toward meeting such measures, is otherwise in violation of the grant agreement, or has not complied with the public outreach requirements under subsection (h), the Director may—

(1) withhold financial assistance until the requirements under the grant agreement or under subsection (h), as applicable, are met; or

(2) terminate the grant agreement.

(j) REPORT ON THE COMPREHENSIVE PLANNING GRANT.—

(1) IN GENERAL.—Not later than 90 days after the date on which the grant agreement under subsection (g) expires, an eligible entity that receives a grant under the grant program shall submit a final report on the project to the Secretary.

(2) CONTENTS OF REPORT.—The report shall include—

(A) a detailed explanation of the activities undertaken using the grant, including an explanation of the completed project and how it achieves specific transit-oriented, transportation, housing, or sustainable community goals within the region;

(B) a discussion of any obstacles encountered in the planning process and how the eligible entity overcame the obstacles;

(C) an evaluation of the success of the project using the performance standards and measures established under subsection (g), including an evaluation of the planning process and how the project contributes to carrying out the comprehensive regional plan; and

(D) any other information the Director may require.

(3) INTERIM REPORT.—The Director may require an eligible entity to submit an interim report, before the date on which the project for which the grant is awarded is completed.

(k) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Secretary for the award of grants under this section, to remain available until expended—

(A) $100,000,000 for fiscal year 2012; and

(B) $125,000,000 for each of fiscal years 2013 through 2016.

(2) TECHNICAL ASSISTANCE.—The Director may use not more than 2 percent of the amounts made available under this subsection for a fiscal year for technical assistance under section 5(c)(3).

SEC. 7. COMMUNITY CHALLENGE GRANT PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the terms ''consortium of units of general local governments'', ''eligible entity'', and ''eligible partner'' have the same meaning as in section 6; and

(2) the term ''grant program'' means the community challenge grant program established under subsection (b).

(b) COMMUNITY CHALLENGE GRANT PROGRAM ESTABLISHED.—The Director shall establish a community challenge grant program to make grants to eligible entities to—

(1) promote integrated planning and investments across policy and governmental jurisdictions; and

(2) implement projects identified in a comprehensive regional plan.

(c) GRANTS.—

(1) DIVERSITY OF GRANTEES.—The Director shall ensure geographic diversity among and adequate representation from eligible entities in each of the categories described in section 6(c)(1).

(2) TERMS AND CONDITIONS.—Except as otherwise provided in this section, a grant under the grant program shall be made on the same terms and conditions as a grant under section 6.

(3) EXPENDING FUNDS.—An eligible entity that receives a grant under the grant program shall expend any funds received under the grant program not later than 5 years after the date on which the grant agreement under subsection (g) is made.

(d) APPLICATION.—

(1) CONTENTS.—An eligible entity that desires a grant under the grant program shall submit to the Director an application, at such time and in such manner as the Director shall prescribe, that contains—

(A) a copy of the comprehensive regional plan, whether developed as part of the comprehensive planning grant program under section 6 or developed independently;

(B) a description of the project or projects proposed to be carried out using a grant under the grant program;

(C) a description of any preliminary actions that have been or must be taken at the local or regional level to implement the project or projects under subparagraph (B), including the revision of land use or zoning policies;

(D) a signed copy of a memorandum of understanding among local jurisdictions, including, as appropriate, a State, units of general purpose local government, units of special purpose local government, metropolitan planning organizations, rural planning organizations, and regional councils that demonstrates—

(i) the creation of a consortium of units of general local government; and

(ii) a commitment to implement the activities described in the comprehensive regional plan; and

(E) a certification that the eligible entity has solicited public comment on the contents of the project or projects described in subparagraph (B) that includes—

(i) a certification that the eligible entity made information about the project or projects available and afforded citizens, public agencies, and other interested parties a reasonable opportunity to examine the content of the project or projects and to submit comments;

(ii) a description of the process for receiving public comment, and a description of the outreach efforts to affected populations and stakeholders;

(iii) a certification that the eligible entity—

(I) held a public hearing to obtain the views of citizens, public agencies, and other interested parties;

(II) made the proposed project and all information relevant to the hearing available for inspection by the public during normal business hours not less than 30 days before the hearing under subclause (I); and

(III) published a notice informing the public of the hearing under subclause (I) and the availability of the information described in subclause (II); and

(F) a budget for the project that includes the Federal share of the cost of the project or projects requested and a description of the source of the non-Federal share; and

(G) such additional information as the Director may require.

(2) INDIAN TRIBES.—An eligible entity that is an Indian tribe is not required to submit a memorandum of understanding under paragraph (1)(D).

(e) SELECTION.—In evaluating an application for a grant under the grant program, the Director shall consider the extent to which the application—

(1) demonstrates the technical capacity of the eligible entity to carry out the project;

(2) demonstrates the extent to which the eligible entity has developed partnerships throughout an entire region, including partnerships with units of special purpose local government and transportation providers;

(3) demonstrates clear and meaningful interjurisdictional cooperation and coordination of housing (including healthy housing), transportation, and environmental policies and plans;

(4) demonstrates a commitment to implementing a comprehensive regional plan and documents action taken or planned to implement the plan;

(5) minimizes the Federal share necessary to carry out the project and leverages a significant amount of State, local, or private resources;

(6) identifies original and innovative ideas to overcoming regional problems, including local land use and zoning (or other code) obstacles to carrying out the comprehensive regional plan;

(7) promotes diversity among the geographic regions and the size of the population of the communities served by recipients of grants under the grant program;

(8) demonstrates a commitment to substantial public input throughout the implementation process;

(9) demonstrates that a Federal grant is necessary to accomplish the project or projects proposed to be carried out;

(10) has a high quality overall; and

(11) demonstrates such other qualities as the Director may determine.

(f) GRANT ACTIVITIES.—

(1) PLANNING ACTIVITIES.—An eligible entity that receives a grant under the grant program may use not more than 10 percent of the grant for planning activities. Activities related to the updating, reform, or development of a local code, plan, or ordinance to implement projects contained in a comprehensive regional plan shall not be considered planning activities for the purposes of a grant under the grant program.

(2) PROJECTS AND INVESTMENTS.—An eligible entity that receives a grant under the grant program shall carry out 1 or more projects that are designed to achieve the goals identified in a comprehensive regional plan.

(g) GRANT AGREEMENT.—Each eligible entity that receives a grant under the grant program shall agree to establish, in coordination with the Director, performance measures, reporting requirements, and any other requirements that the Director determines are necessary, that must be met at the end of each year in which the eligible entity receives funds under the grant program.

(h) VIOLATION OF GRANT AGREEMENT.—If the Director determines that an eligible entity has not met the performance measures established under subsection (g), is not making reasonable progress toward meeting such measures, or is otherwise in violation of the grant agreement, the Director may—

(1) withhold financial assistance until the requirements under the grant agreement are met; or

(2) terminate the grant agreement.

(i) REPORT ON THE COMMUNITY CHALLENGE GRANT.—

(1) IN GENERAL.—Not later than 90 days after the date on which the grant agreement under subsection (g) expires, an eligible entity that receives a grant under the grant program shall submit a final report on the project to the Secretary.

(2) CONTENTS OF REPORT.—The report shall include—

(A) a detailed explanation of the activities undertaken using the grant, including an explanation of the completed project and how it achieves specific transit-oriented, transportation, housing, or sustainable community goals within the region;

(B) a discussion of any obstacles encountered in the planning and implementation process and how the eligible entity overcame the obstacles;

(C) an evaluation of the success of the project using the performance standards and measures established under subsection (g), including an evaluation of the planning and implementation process and how the project contributes to carrying out the comprehensive regional plan; and

(D) any other information the Director may require.

(3) INTERIM REPORT.—The Director may require an eligible entity to submit an interim report, before the date on which the project for which the grant is awarded is completed.

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to the Secretary for the award of grants under this section, to remain available until expended—

(A) $30,000,000 for each of fiscal years 2012 and 2013;

(B) $35,000,000 for fiscal year 2014;

(C) $40,000,000 for fiscal year 2015; and

(D) $45,000,000 for fiscal year 2016.

SEC. 8. CREDIT FACILITY TO SUPPORT TRANSIT-ORIENTED DEVELOPMENT.

(a) DEFINITIONS.—In this section—

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means a State or local government.

(2) ELIGIBLE AREA.—The term ''eligible area'' means the area within ½ mile of an existing or planned major transit facility.

(3) ELIGIBLE BORROWER.—The term ''eligible borrower'' means—

(A) a governmental entity, authority, agency, or instrumentality;

(B) a corporation, partnership, joint venture, or trust on behalf of which an eligible applicant has submitted an application under subsection (c); or

(C) any other legal entity undertaking an infrastructure development project on behalf of which an eligible applicant has submitted an application under subsection (c).

(4) MAJOR TRANSIT FACILITY.—The term ''major transit facility'' means—

(A) a fixed-guideway transit station;

(B) a high speed rail or intercity rail station;

(C) a transit hub connecting more than 3 local transit lines; or

(D) a transit center located in an area other than an urbanized area.

(5) PLANNED MAJOR TRANSIT FACILITY.—The term ''planned major transit facility'' means a major transit facility for which appropriate environmental reviews have been completed and for which funding for construction can be reasonably anticipated.

(6) PROJECT.—The term ''project'' means an infrastructure project that is used to support a transit-oriented development in an eligible area, including—

(A) property enhancement, including conducting environmental remediation, park development, and open space acquisition;

(B) improvement of mobility and parking, including rehabilitating, or providing for additional, streets, transit stations, structured parking, walkways, and bikeways;

(C) utility development, including rehabilitating existing, or providing for new drinking water, wastewater, electric, and gas utilities; or

(D) community facilities, including child care centers.

(b) LOAN PROGRAM ESTABLISHED.—The Secretary may make or guarantee loans under this section to eligible borrowers for projects.

(c) APPLICATION.—

(1) IN GENERAL.—An eligible applicant may submit to the Secretary an application for a loan or loan guarantee under this section—

(A) to fund a project carried out by the eligible applicant; or

(B) on behalf of an eligible borrower, to fund a project carried out by the eligible borrower.

(d) SELECTION CRITERIA.—

(1) IN GENERAL.—The Secretary may make a loan or loan guarantee under this section for a project that—

(A) is part of a community-wide development plan, as defined by the Secretary;

(B) promotes sustainable development; and

(C) ensures that not less than 15 percent of any housing units constructed or substantially rehabilitated as part of transit-oriented development supported by the project are affordable over the long-term to, and occupied at time of initial occupancy by—

(i) renters with incomes at or below 60 percent of the area median; or

(ii) homeowners with incomes at or below 100 percent of the area median.

(2) CONSIDERATIONS.—The Secretary shall select the recipients of loans and loan guarantees under this section based on the extent to which—

(A) the transit-oriented development supported by the project will encourage increased use of transit;

(B) the transit-oriented development supported by the project will create or preserve long-term affordable housing units in addition to the housing units required to be made available under paragraph (1)(C) or will provide deeper affordability than required under paragraph (1)(C);

(C) the project will facilitate and encourage additional development or redevelopment in the overall transit station area;

(D) the local government has adopted policies that—

(i) promote long-term affordable housing; and

(ii) allow high-density, mixed-use development near transit stations;

(E) the transit-oriented development supported by the project is part of a comprehensive regional plan;

(F) the eligible borrower has established a reliable, dedicated revenue source to repay the loan;

(G) the project is not financially viable for the eligible borrower without a loan or loan guarantee under this section; and

(H) a loan or loan guarantee under this section would be used in conjunction with non-Federal loans to fund the project.

(e) ELIGIBLE SOURCES OF REPAYMENT.—A loan made or guaranteed under this section shall be repayable, in whole or in part, from dedicated revenue sources, which may include—

(1) user fees;

(2) property tax revenues;

(3) sales tax revenues;

(4) other revenue sources dedicated to the project by property owners and businesses; and

(5) a bond or other indebtedness backed by one of the revenue sources listed in this paragraph.

(f) INTEREST RATE.—The Secretary shall establish an interest rate for loans made or guaranteed under this section with reference to a benchmark interest rate (yield) on marketable Treasury securities with a maturity that is similar to the loans made or guaranteed under this section.

(g) MAXIMUM MATURITY.—The maturity of a loan made or guaranteed under this section may not exceed the lesser of—

(1) 35 years; or

(2) 90 percent of the useful life of any project to be financed by the loan, as determined by the Secretary.

(h) MAXIMUM LOAN GUARANTEE RATE.—

(1) IN GENERAL.—The guarantee rate on a loan guaranteed under this section may not exceed 75 percent of the amount of the loan.

(2) LOWER GUARANTEE RATE FOR LOW-RISK BORROWERS.—The Secretary shall establish a guarantee rate for loans to eligible borrowers that the Secretary determines pose a lower risk of default that is lower than the guarantee rate for loans to other eligible borrowers.

(i) FEES.—The Secretary shall establish fees for loans made or guaranteed under this section at a level that is sufficient to cover all or part of the costs to the Federal Government of making or guaranteeing a loan under this section.

(j) NONSUBORDINATION.—A loan made or guaranteed under this section may not be subordinated to the claims of any holder of an obligation relating to the project in the event of bankruptcy, insolvency, or liquidation.

(k) COMMENCEMENT OF REPAYMENT.—The scheduled repayment of principal or interest on a loan made or guaranteed under this section shall commence not later than 5 years after the date of substantial completion of the project.

(l) REPAYMENT DEFERRAL FOR LOANS.—

(1) IN GENERAL.—If, at any time after the date of substantial completion of a project, the Secretary determines that dedicated revenue sources of an eligible borrower are insufficient to make the scheduled loan repayments of principal and interest on a loan made or guaranteed under this section, the Secretary may, subject to criteria established by the Secretary, allow the eligible borrower to add unpaid principal and interest to the outstanding balance of the loan.

(2) TREATMENT OF DEFERRED PAYMENTS.—Any payment deferred under this section shall—

(A) continue to accrue interest until fully repaid; and

(B) be scheduled to be amortized over the remaining term of the loan.

(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the cost of loans and loan guarantees under this section $20,000,000 for each of fiscal years 2012 through 2016.

SEC. 9. HEALTHY HOMES.

(a) FEDERAL INITIATIVE TO SUPPORT HEALTHY HOUSING AND ERADICATE HOUSING-RELATED HEALTH HAZARDS.—The Secretary, acting through the Director of the Office of Healthy Homes and Lead Hazard Control and in consultation with the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, the Director of the National Institute of Standards and Technology, the Director of the National Institute of Environmental Health Sciences, and the Director of the Centers for Disease Control, shall lead the Federal initiative to support healthy housing and eradicate housing-related health hazards by—

(1) reviewing, monitoring, and evaluating Federal housing, health, energy, and environmental programs and identifying areas of overlap and duplication that could be improved;

(2) identifying best practices and model programs, including practices and programs that link services for low-income families and services for health hazards;

(3) identifying best practices for finance products, building codes, and regulatory practices;

(4) researching training programs and work practices that can accurately assess housing-related health hazards;

(5) promoting collaboration among Federal, State, local, and tribal agencies and non-governmental organizations; and

(6) coordinating with all relevant Federal agencies.

(b) ASSESSMENT.—The Secretary shall conduct a collaborative, interagency assessment of best practices for—

(1) coordinating activities relating to healthy housing;

(2) removing unnecessary barriers to interagency coordination in Federal statutes and regulations; and

(3) creating incentives in programs of the Federal Government to advance the complementary goals of improving environmental health, energy conservation, and the availability of housing.

(c) STUDY AND REPORT ON SUSTAINABLE BUILDING FEATURES AND INDOOR ENVIRONMENTAL QUALITY IN HOUSING.—

(1) STUDY.—The Secretary, in consultation with the Secretary of Energy, the Director of the National Institute of Standards and Technology, the Director of the National Institute of Environmental Health Sciences, the Director of the Centers for Disease Control, and any other Federal agency that the Secretary determines is appropriate, shall conduct a detailed study of how sustainable building features in housing, such as energy efficiency, affect—

(A) the quality of the indoor environment;

(B) the prevalence of housing-related health hazards; and

(C) the health of occupants of the housing.

(2) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Financial Services and the Committee on Appropriations of the House of Representatives a report containing the results of the study under paragraph (1).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 10. INELIGIBILITY OF INDIVIDUALS WHO ARE NOT LAWFULLY PRESENT.

No housing assisted using a grant under this Act may be made available to an individual who is not lawfully present in the United States. Nothing in this Act may be construed to alter the restrictions or definitions under section 214 of the Housing and

Community Development Act of 1980 (42 U.S.C. 1436a).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 274—EXPRESSING THE SENSE OF THE SENATE THAT FUNDING FOR THE FEDERAL PELL GRANT PROGRAM SHOULD NOT BE CUT IN ANY DEFICIT REDUCTION PROGRAM

Mr. WHITEHOUSE (for himself, Mr. REED of Rhode Island, Mr. FRANKEN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. BLUMENTHAL, and Mr. BROWN of Ohio) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 274

Whereas the Federal Pell Grant program has been the cornerstone of the Federal financial aid system since grants were first distributed in the 1970s;

Whereas during 2010, almost 9,000,000 students in the United States received a Federal Pell Grant;

Whereas the number of students receiving a Federal Pell Grant increased by 26 percent between the 2008-2009 academic year and the 2009-2010 academic year;

Whereas when Federal Pell Grants were first distributed in 1976, such grants paid for 72 percent of the average cost of a 4-year public institution of higher education while in 2011 the maximum Federal Pell Grant covers only 34 percent of such cost;

Whereas 61 percent of students who received a Federal Pell Grant during the 2008-2009 academic year came from households that earned less than $30,000 and 99 percent of such students came from households that earned $50,000 a year or less;

Whereas during the 2008-2009 academic year, 68 percent of students receiving a Federal Pell Grant were 21 years of age or older;

Whereas the unemployment rate for individuals with a baccalaureate degree is consistently half of the unemployment rate for individuals with only a secondary school diploma; and

Whereas education is a vital part of ensuring that the United States workforce is prepared for the 21st Century and the United States remains the world leader in innovation: Now, therefore, be it

Resolved, That it is the sense of the Senate that funding for the Federal Pell Grant program should not be cut in any deficit reduction package.

SENATE RESOLUTION 275—DESIGNATING OCTOBER 30, 2011, AS A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

Mr. BINGAMAN (for himself, Mr. ALEXANDER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Ms. CANTWELL, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. CRAPO, Mr. MCCONNELL, and Mr. CORKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 275

Whereas, since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building the nuclear defense weapons of the United States;

Whereas these dedicated workers paid a high price for their service to develop a nuclear weapons program for the benefit of the United States, including having developed disabling or fatal illnesses;

Whereas the Senate recognized the contribution, service, and sacrifice these patriotic men and women made for the defense of the United States in Senate Resolution 151, 111th Congress, agreed to May 20, 2009, and Senate Resolution 653, 111th Congress, agreed to September 28, 2010;

Whereas a national day of remembrance time capsule has been crossing the United States, collecting artifacts and the stories of the nuclear workers relating to the nuclear defense era of the United States;

Whereas these stories and artifacts reinforce the importance of recognizing these nuclear workers; and

Whereas these patriotic men and women deserve to be recognized for the contribution, service, and sacrifice they have made for the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 30, 2011, as a national day of remembrance for nuclear weapons program workers, including uranium miners, millers, and haulers, of the United States; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2011, as a national day of remembrance for past and present workers in the nuclear weapons program of the United States.

Mr. BINGAMAN. Mr. President, I rise today to submit a resolution to encourage all Americans to support October 30, 2011 as a national day of remembrance for past and present workers in the U.S. nuclear weapons program. I am pleased that Senators ALEXANDER, CANTWELL, CRAPO, CORKER, GILLIBRAND, GRAHAM, MCCONNELL, MARK UDALL and TOM UDALL, have joined me in introducing this bipartisan legislation.

Since World War II, hundreds of thousands of men and women, including uranium miners, millers, and haulers, have served the United States by building our nuclear defense weapons. We should all take time to remember our fellow Americans who have paid a high price for their service to develop the nuclear program for United States.

Some of these workers have developed disabling or fatal illnesses, and we should recognize their sacrifice and contributions. By honoring nuclear complex workers and uranium miners who have contributed to our nation's defense over the past 6 decades, we will also recognize the sacrifices made by family members who have cared for sick and injured workers. Additionally, the commemoration on October 30th will serve to remind Americans that we still have work to do in ensuring the health and benefits of our nuclear weapons workers.

I urge my colleagues to support this important resolution.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 22, 2011, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CASEY. 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 September 22, 2011, at 10 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 22, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a oversight hearing entitled ''Tribal Law and Order Act One Year Later: Have We Improved Public Safety and Justice Throughout Indian Country?''

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

COMMITTEE ON THE JUDICIARY

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 22, 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.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CASEY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 22, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, be authorized to meet during the session of the Senate on September 22, 2011, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting Seniors and Persons with Disabilities—An Examination of Court-Appointed Guardians.''

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on