

I helped ensure that Rhode Island would receive additional NSP funding to assist communities hit hardest by the foreclosure crisis. Based on my visits to many NSP sites in Rhode Island, the State's NSP allotment of \$26 million is making a difference in neighborhoods all over the State. This crucial investment in Rhode Island has not only begun to help reverse the fallout from foreclosures, but has also provided families with affordable rental housing.

But more needs to be done. According to the Department of Housing and Urban Development, despite three rounds of NSP funding, "there is unaddressed high need in more than 76 percent of high need census tracts across the country." According to the Federal Reserve's recent housing white paper, the number of new homes that will have completed the foreclosure process could be as high as 1 million properties per year in 2012 and 2013.

We need to act to gain traction in our housing market so that we can firmly anchor a sustainable economic recovery that actually reaches and touches all Americans.

The Project Rebuild Act takes us in the right direction towards gaining this needed traction by making important enhancements to NSP, such as broadening eligible uses to include commercial vacancies.

It would offer new grants for fixing up vacant commercial properties, complementing the abilities of private developers.

It would also increase support for "land banking." Land banks work with communities to buy, hold, and redevelop distressed properties as part of a long-term redevelopment strategy. Our bill would help more communities utilize successful land bank models and provide additional resources for Rhode Island Housing's Land Bank.

The U.S. Department of Housing and Urban Development, HUD, estimates Project Rebuild could create over 190,000 jobs and renovate 150,000 properties nationwide.

Just as NSP was supported on a bipartisan basis, I hope we can build bipartisan support for this effort to help revitalize neighborhoods, create jobs, and accelerate economic growth.

I urge my colleagues to join us in supporting this bill and other efforts to address foreclosures and bolster our nation's recovery.

By Mr. CONRAD:

S. 2163. A bill to amend title XVIII of the Social Security Act to improve Medicare benefits for individuals with kidney disease, and for other purposes; to the Committee on Finance.

Mr. CONRAD. Mr. President, I am introducing the Kidney Disease Equitable Access, Prevention, and Research Act. This legislation recognizes the importance of patient choice, access to care, and educational efforts to assist the more than 400,000 Americans with kidney failure to manage their disease and understand the treatment options.

First, the legislation seeks to maintain patient choice to retain their private insurance options, even after they qualify for Medicare by virtue of their disease state. Under current law, an individual diagnosed with kidney failure, or End Stage Renal Disease, ESRD, has the choice to maintain his/her current group health plan or transition immediately to Medicare. The legislation introduced today would direct the Secretary to clarify that this long-standing requirement also applies to group health plans established through Health Benefit Exchanges, as well as more traditional plans.

Second, the legislation seeks to improve access to preventive and educational services by expanding access to coverage for kidney disease education services.

Finally, the legislation seeks to address barriers to receiving this life-sustaining treatment, including transportation issues and factors that lead to disparities among minority populations. It also calls on the Secretary to report on gaps in quality and care management metrics to support ongoing efforts to continue quality improvement in the Medicare ESRD program.

I call on my colleagues to reaffirm the Congressional commitment to Americans with ESRD by ensuring equitable access to care for individuals with kidney disease, supporting research to improve access to high quality kidney care, and improving access to preventive care for individuals with ESRD. The Kidney Disease Equitable Access, Prevention, and Research Act is a comprehensive bill that improves upon the Medicare ESRD program. I urge my colleagues to join with me in supporting this important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 389—DESIGNATING THE FIRST WEEK OF APRIL 2012 AS "NATIONAL ASBESTOS AWARENESS WEEK"

Mr. BAUCUS (for himself, Mrs. MURRAY, Mr. REID of Nevada, Mr. DURBIN, Mrs. FEINSTEIN, Mr. TESTER, Mr. ISAKSON, and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 389

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer such as mesothelioma, asbestosis, and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas, generally, little is known about late-stage treatment of asbestos-related diseases, and there is no cure for such diseases;

Whereas early detection of asbestos-related diseases may give some patients in-

creased treatment options and might improve their prognoses;

Whereas the United States has substantially reduced its consumption of asbestos, yet continues to consume almost 1,100 metric tons of the fibrous mineral for use in certain products throughout the United States;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas exposure to asbestos continues, but safety and prevention of asbestos exposure already has significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of such diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana suffer from asbestos-related diseases, including mesothelioma, at a significantly higher rate than people in the United States as a whole; and

Whereas the establishment of a "National Asbestos Awareness Week" will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2012 as "National Asbestos Awareness Week";

(2) urges the Surgeon General to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1800. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table.

SA 1801. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1802. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1803. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1804. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1805. Mr. ROBERTS submitted an amendment intended to be proposed to amendment SA 1741 submitted by Mr. LEVIN (for himself and Mr. CONRAD) and intended to be proposed to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1806. Mr. BARRASSO submitted an amendment intended to be proposed to

amendment SA 1776 submitted by Ms. CANTWELL and intended to be proposed to the bill S. 1813, *supra*; which was ordered to lie on the table.

SA 1807. Mr. BROWN of Ohio (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, *supra*; which was ordered to lie on the table.

SA 1808. Mr. DURBIN (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill S. 1886, to prevent trafficking in counterfeit drugs.

TEXT OF AMENDMENTS

SA 1800. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1454, between lines 8 and 9, insert the following:

(C) AGENCY APPROVALS FOR POSITIVE TRAIN CONTROL.—

(1) COORDINATION.—The Secretary and the Chairman shall coordinate to expedite approvals of associated technology essential to implementing a positive train control system pursuant to section 20157(a) of title 49, United States Code.

(2) APPROVAL PROCESS.—

(A) IN GENERAL.—The Chairman shall give priority to all actions essential to implementing the system described in paragraph (1).

(B) SPECTRUM APPLICATIONS.—The Chairman—

(i) shall approve or deny applications for spectrum necessary to implement positive train control not later than 180 days after the submission of a complete application, unless additional time is sought by the applicant; and

(ii) in determining whether to grant an application described in subparagraph (A), shall consider the interests of public safety.

(C) EXTENSION OF TIME FOR APPROVING OR DENYING APPLICATIONS.—The Chairman may extend the time for approving or denying an application under subparagraph (B)(i) for 1 additional period of 180 days for good cause if the Chairman provides to the applicant—

(i) a statement of the grounds for the extension; and

(ii) a target date for approving or denying the application.

(3) SEMI-ANNUAL REPORT.—Not later than 90 days after the date of enactment of this Act, and every 6 months thereafter, the Secretary and the Chairman shall jointly submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(A) the status of the applications described in paragraph (2)(B);

(B) any additional agency approvals or actions that may be necessary; and

(C) the additional agency resources that will be required to facilitate expeditious approvals and actions.

SA 1801. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1323, between lines 13 and 14, insert the following:

(d) RELATIONSHIP TO OTHER LAWS.—Section 5107(g)(2) is amended by inserting “, or section 34007 of the Hazardous Materials Transportation Safety Improvement Act of 2012,” after “section 5106”.

SA 1802. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —PUBLIC SAFETY OFFICERS AND VOLUNTEERS

Subtitle A—Public Safety Officers Benefits

SEC. 21. SHORT TITLE.

This subtitle may be cited as the “Dale Long Public Safety Officers’ Benefits Improvements Act of 2012”.

SEC. 22. BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS AND CERTAIN TRAINEES; MISCELLANEOUS AMENDMENTS.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 901(a) (42 U.S.C. 3791(a))—

(A) in paragraph (26), by striking “and” at the end;

(B) in paragraph (27), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following: “(28) the term ‘hearing examiner’ includes any medical or claims examiner.”;

(2) in section 1201 (42 U.S.C. 3796)—

(A) in subsection (a), by striking “follows:” and all that follows and inserting the following: “follows (if the payee indicated is living on the date on which the determination is made)—

“(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

“(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;

“(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

“(4) if there is no surviving spouse of the public safety officer and no surviving child—

“(A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or

“(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

“(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or

“(6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal

shares) who would qualify under the definition of the term ‘child’ under section 1204 but for age.”;

(B) in subsection (b)—

(i) by striking “direct result of a catastrophic” and inserting “direct and proximate result of a personal”;

(ii) by striking “pay,” and all that follows through “the same” and inserting “pay the same”;

(iii) by striking “in any year” and inserting “to the public safety officer (if living on the date on which the determination is made)”;

(iv) by striking “in such year, adjusted” and inserting “with respect to the date on which the catastrophic injury occurred, as adjusted”;

(v) by striking “, to such officer”;

(vi) by striking “the total” and all that follows through “For” and inserting “for”; and

(vii) by striking “That these” and all that follows through the period, and inserting “That the amount payable under this subsection shall be the amount payable as of the date of catastrophic injury of such public safety officer.”;

(C) in subsection (f)—

(i) in paragraph (1), by striking “, as amended (D.C. Code, sec. 4-622); or” and inserting a semicolon;

(ii) in paragraph (2)—

(I) by striking “. Such beneficiaries shall only receive benefits under such section 8191 that” and inserting “, such that beneficiaries shall receive only such benefits under such section 8191 as”; and

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

(iii) by adding at the end the following:

“(3) payments under the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107-42).”;

(D) by amending subsection (k) to read as follows:

“(k) As determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

“(1) the public safety officer, while on duty—

“(A) engages in a situation involving non-routine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

“(B) participates in a training exercise involving nonroutine stressful or strenuous physical activity;

“(2) the heart attack, stroke, or vascular rupture commences—

“(A) while the officer is engaged or participating as described in paragraph (1);

“(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

“(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); and

“(3) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer, unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation or was directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors.”; and

(E) by adding at the end the following:

“(n) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or