the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 399

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 399, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, crimes against humanity, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

S. RES. 402

At the request of Mr. COONS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 402, a resolution condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 2251. A bill to designate the United States courthouse located at 709 West 9th Street, Juneau, Alaska, as the Robert Boochever United States Courthouse; to the Committee on Environment and Public Works.

Mr. BEGICH. Mr. President, I come to the floor today to introduce a piece of legislation honoring a great Alaskan. Robert Boochever was a giant of my state's judicial community for over 60 years—even longer than Alaska has been a State. This legislation, naming the Juneau Federal courthouse facility in Judge Boochever's honor, is a fitting tribute to his legacy.

Robert Boochever first came to Alaska in the 1946, after having fought in World War II as a Captain in the U.S. Army. In territorial Alaska, he was an Assistant U.S. Attorney for two years, before joining a private practice in Juneau for almost 25 years, and was before long, one of the most respected lawyers in the state. He served as President of the Juneau Bar Association and the Alaska Bar Association.

In 1972, Governor Egan tapped Boochever to serve as an Associate Justice on the Alaska Supreme Court. He served on the court for eight years, three of which he had the honor of being the fourth ever Chief Justice of the Alaska Supreme Court.

President Jimmy Carter nominated Judge Boochever to be a Judge of the United States Circuit Court of Appeals for the Ninth Circuit on May 22, 1980. He was quickly confirmed by the U.S. Senate and received his commission to the Federal bench about a month later. This made Judge Boochever the first ever Alaskan to be a judge on the Ninth Circuit, a court he would serve on for the next thirty years.

Judge Boochever is well known for his commitment to the city and the people of Juneau. He lived in Juneau and maintained an office there for most of his life. Even when he moved to California in his later years to facilitate travel and communications, he still maintained his Juneau office and returned to it every year with his clerks.

In addition to his impressive record of accomplishments and his years of public service, Judge Boochever was known for his love and commitment for the law. He is well known as a tireless advocate for the rights of the disadvantaged and for his strong commitment to protecting individual freedoms and First Amendment rights.

Naming the Juneau Federal courthouse facility in Judge Boochever's honor is broadly supported by Alaskans and so appropriate because he kept his chambers there for many years. In fact, this effort has the support of the Juneau Bar Association, the Alaska Bar Association's Historians Committee, the Mayor of Juneau, and many of its residents.

For all these reasons, today I am proud to introduce this legislation to designate the United States Courthouse in Juneau as the Robert Boochever United States Courthouse. He was a great man and this is a fine way to remember all he did for my State.

Mr. President, I ask unanimous consent 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. 2251

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

SECTION 1. ROBERT BOOCHEVER UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 709 West 9th Street, Juneau, Alaska, shall be known and designated as the ''Robert Boochever United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Robert Boochever United States Courthouse''.

By Mr. DURBIN (for himself and Mr. FRANKEN):

S. 2253. A bill to require individuals who file under the Ethics in Government Act of 1978 to disclose any financial accounts that are or have been deposited in a country that is a tax haven; to the Committee on Homeland Security and Governmental Affairs.

Mr. DURBIN. Mr. President, the old adage that sunlight is the best disinfectant is an old adage for one main reason: It is true.

That is why I am introducing the Financial Disclosure to Reduce Tax Haven Abuse Act of 2012, to require candidates for Federal office and certain Federal employees to disclose any financial interest they or their spouse hold that is held in an offshore tax haven.

It might seem ridiculous that we don't already know whether candidates and Members of Congress are using offshore tax havens. However, under current law, those individuals are not required to account for where their financial interests are held.

A January 26, 2012, article in the Los Angeles Times reported that Mitt Romney—a candidate for the Republican nomination for President—failed to disclose a number of accounts in countries with very low tax burdens.

Specifically, according to a review of the candidate's tax returns and financial disclosure statements:

> At least 23 funds and partnerships listed in the couple's 2010 tax returns did not show up or were not listed in the same fashion on Romney's most recent financial disclosure, including 11 based in low-tax foreign countries such as Bermuda, the Cayman Islands and Luxembourg.

The Romney campaign called the discrepancies ''trivial.''

But this information is not trivial to the American people's trust in government, and the use of offshore tax havens is not trivial to our economy.

Studies have found that tax offshore tax havens, and other similar loopholes, cost taxpayers $100 billion per year.

I want to commend Senators LEVIN and CONRAD for the work they have done to shine a light on these nefarious practices.

Those two Senators successfully included a provision in the Senate Transportation bill that will give the Treasury Department greater tools to crack down on offshore tax haven abuse. It is an important step forward, but more must be done.

The American people are rightly concerned that the wealthy and well-connected are skirting our laws to avoid taxation, and they deserve to know that the people who hope to represent them in Washington—and those who are trying to attain those positions—aren't cheating the system.

Nothing in this bill impinges on an individual's right to hold financial interests within the global economy. If there is a legitimate reason for a candidate or a Member of Congress or any other individual who files a financial disclosure to hold their money in an account on the Cayman Islands, they should have no problem explaining it to voters. But any individual who has or wants to have the public's trust should be honest about practices they have engaged in that cost the taxpayers they wish to represent billions of dollars every year. This is an important step that we must take to restore the public trust.

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. 2253

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 ''Financial Disclosure to Reduce Tax Haven Abuse Act of 2012''.

SEC. 2. DISCLOSURE OF ACCOUNTS HELD IN TAX HAVENS.

Section 102(b)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting '', with a specific accounting of any financial interest held by the covered individual or their spouse in a country that is considered as a tax haven as listed by the Secretary of the Treasury and made available to the filer'' after ''calendar year''; and

(2) inserting at the end the following:

''In compiling the list of tax havens under subparagraph (A), the Secretary of the Treasury should consider for inclusion those jurisdictions which have been previously and publicly identified by the Internal Revenue Service as secrecy jurisdictions in Federal court proceedings.''.

By Mr. REED (for himself and Ms. STABENOW):

S. 2256. A bill to amend the Public Health Service Act to provide grants for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce, along with my colleague, Senator STABENOW, the Community-Based Mental Health Infrastructure Improvements Act.

According to the Mental Health Association of Rhode Island, 38,000 adults and 11,000 children in the state have a serious mental illness, and approximately 15 percent of Rhode Island adults report suffering from serious psychological distress every year. Unfortunately, mental illness is often linked to poor physical health—obesity, high blood pressure, and high cholesterol.

Community mental health centers help these individuals get the mental and behavioral health care that they need to lead healthier, more productive lives through no or low-cost treatments. This cost structure has been particularly critical throughout the recent recession and as our economy continues to recover. Individuals and families didn't have to forgo health care because they lost their job or health insurance. The proof is in the numbers. In just the last 6 months of 2010, Community Mental Health Centers in Rhode Island treated nearly 30,000 individuals. The demand for care will only grow as more Americans gain access to comprehensive, affordable health insurance in 2014.

It is critical that Community Mental Health Centers have the infrastructure necessary to treat every individual who needs care. In Rhode Island, some of the community mental health centers are in older buildings that need updating. Others need more space to be able to meet current demand and prepare for the expected increase in patients in 2014. These needs are true of community mental health centers across the country. The Community-Based Mental Health Infrastructure Improvements Act would help ensure that Community Mental Health Centers have the resources to construct and modernize these mental and behavioral health facilities.

I am pleased that this legislation has been included in a broader mental health care bill, the Excellence in Mental Health Act, that I joined Senator STABENOW in introducing today. I look forward to working with my colleagues to improve our mental and behavioral health care delivery system, and urge my colleagues to support these important bills.

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. 2256

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 ''Community-Based Mental Health Infrastructure Improvements Act''.

SEC. 2. COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENT.

Title V of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''PART H—COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS

''SEC. 560. GRANTS FOR COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS.

''(a) GRANTS AUTHORIZED.—The Secretary may award grants to eligible entities to expend funds for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals.

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

''(1) a State that is the recipient of a Community Mental Health Services Block Grant under subpart I of part B of title XIX and a Substance Abuse Prevention and Treatment Block Grant under subpart II of such part; or

''(2) an Indian tribe or a tribal organization (as such terms are defined in sections 4(b) and 4(c) of the Indian Self-Determination and Education Assistance Act).

''(c) APPLICATION.—A eligible entity desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing—

''(1) a plan for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals that—

''(A) designates a single State or tribal agency as the sole agency for the supervision and administration of the grant;

''(B) contains satisfactory evidence that such agency so designated will have the authority to carry out the plan;

''(C) provides for the designation of an advisory council, which shall include representatives of nongovernmental organizations or groups, and of the relevant State or tribal agencies, that aided in the development of the plan and that will implement and monitor any grant awarded to the eligible entity under this section;

''(D) in the case of an eligible entity that is a State, includes a copy of the State plan under section 1912(b) and section 1932(b);

''(E)(i) includes a listing of the projects to be funded by the grant; and

''(ii) in the case of an eligible entity that is a State, explains how each listed project helps the State in accomplishing its goals and objectives under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part;

''(F) includes assurances that the facilities will be used for a period of not less than 10 years for the provision of community-based mental health or substance abuse services for those who cannot pay for such services, subject to subsection (e); and

''(G) in the case of a facility that is not a public facility, includes the name and executive director of the entity who will provide services in the facility; and

''(2) with respect to each construction or modernization project described in the application—

''(A) a description of the site for the project;

''(B) plans and specifications for the project and State or tribal approval for the plans and specifications;

''(C) assurance that the title for the site is or will be vested with either the public entity or private nonprofit entity who will provide the services in the facility;

''(D) assurance that adequate financial resources will be available for the construction or major rehabilitation of the project and for the maintenance and operation of the facility;

''(E) estimates of the cost of the project; and

''(F) the estimated length of time for completion of the project.

''(d) SUBGRANTS BY STATES.—

''(1) IN GENERAL.—A State that receives a grant under this section may award a subgrant to a qualified community program (as such term is used in section 1913(b)(1)).

''(2) USE OF FUNDS.—Subgrants awarded pursuant to paragraph (1) may be used for activities such as—

''(A) the construction, expansion, and modernization of facilities used to provide mental health and substance abuse services to individuals;

''(B) acquiring and leasing facilities and equipment (including paying the costs of amortizing the principal of, and paying the interest on, loans for such facilities and equipment) to support or further the operation of the subgrantee;

''(C) the construction and structural modification (including equipment acquisition) of facilities to permit the integrated delivery of behavioral health and primary care of specialty medical services to individuals with co-occurring mental illnesses and chronic medical or surgical diseases at a single service site; and

''(D) acquiring information technology required to accommodate the clinical needs of primary and specialty care professionals.

''(3) LIMITATION.—Not to exceed 15 percent of grant funds may be used for activities described in paragraph (2)(D).

''(e) REQUEST TO TRANSFER OBLIGATION.—An eligible entity that receives a grant under this section may submit a request to the Secretary for permission to transfer the 10-year obligation of facility use, as described in subsection (c)(1)(F), to another facility.

''(f) AGREEMENT TO FEDERAL SHARE.—As a condition of receipt of a grant under this section, an eligible entity shall agree, with respect to the costs to be incurred by the entity in carrying out the activities for which such grant is awarded, that the entity will make available non-Federal contributions (which may include State or local funds, or funds from the qualified community program) in an amount equal to not less than $1 for every $1 of Federal funds provided under the grant.

''(g) REPORTING.—

''(1) REPORTING BY STATES.—During the 10-year period referred to in subsection (c)(1)(F), the Secretary shall require that a State that receives a grant under this section submit, as part of the report of the State required under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part, a description of the progress on—

''(A) the projects carried out pursuant to the grant under this section; and

''(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during such 10-year period.

''(2) REPORTING BY INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The Secretary shall establish reporting requirements for Indian tribes and tribal organizations that receive a grant under this section. Such reporting requirements shall include that such Indian tribe or tribal organization provide a description of the progress on—

''(A) the projects carried out pursuant to the grant under this section; and

''(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during the 10-year period referred to in subsection (c)(1)(F).

''(h) FAILURE TO MEET OBLIGATIONS.—

''(1) IN GENERAL.—If an eligible entity that receives a grant under this section fails to meet any of the obligations of the entity required under this section, the Secretary shall take appropriate steps, which may include—

''(A) requiring that the entity return the unused portion of the funds awarded under this section for the projects that are incomplete; and

''(B) extending the length of time that the entity must ensure that the facility involved is used for the purposes for which it is intended, as described in subsection (c)(1)(F).

''(2) HEARING.—Prior to requesting the return of the funds under paragraph (1)(B), the Secretary shall provide the entity notice and opportunity for a hearing.

''(i) COLLABORATION.—The Secretary may establish intergovernmental and interdepartmental memorandums of agreement as necessary to carry out this section.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.''.

By Ms. STABENOW (for herself and Mr. REED):

S. 2257. A bill to increase access to community behavioral health services for all Americans and to improve Medicaid reimbursement for community behavioral health services; to the Committee on Health, Education, Labor, and Pensions.

Ms. STABENOW. 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. 2257

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 ''Excellence in Mental Health Act''.

SEC. 2. ESTABLISHING COMMUNITY BEHAVIORAL HEALTH CENTERS.

Section 1913 of the Public Health Service Act (42 U.S.C. 300x–2) is amended—

(1) in subsection (a)(2)(A), by striking ''community mental health services'' and inserting ''behavioral health services (of the type offered by federally-qualified community behavioral health centers consistent with subsection (c)(3))'';

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

''(1) services under the plan will be provided only through appropriate, qualified community programs (which may include federally-qualified community behavioral health centers, child mental health programs, psychosocial rehabilitation programs, mental health peer-support programs, outpatient addiction treatment programs, acute detoxification services, and mental health primary consumer-directed programs); and''; and

(B) in paragraph (2), by striking ''community mental health centers'' and inserting ''federally-qualified community behavioral health centers''; and

(3) by striking subsection (c) and inserting the following:

''(c) CRITERIA FOR FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS.—

''(1) IN GENERAL.—The Administrator shall certify, and recertify at least every 5 years, federally-qualified community behavioral health centers as meeting the criteria specified in this subsection.

''(2) REGULATIONS.—Not later than 18 months after the date of the enactment of the Excellence in Mental Health Act, the Administrator, in consultation with State Mental Health and Substance Abuse Authorities, shall issue final regulations for certifying non-profit or local government centers as centers under paragraph (1).

''(3) CRITERIA.—The criteria referred to in subsection (b)(2) are that the center performs each of the following:

''(A) Provide services in locations that ensure services will be available and accessible promptly and in a manner which preserves human dignity and assures continuity of care.

''(B) Provide services in a mode of service delivery appropriate for the target population.

''(C) Provide individuals with a choice of service options where there is more than one efficacious treatment.

''(D) Employ a core staff of clinical staff that is multidisciplinary and culturally and linguistically competent.

''(E) Provide services, within the limits of the capacities of the center, to any individual residing or employed in the service area of the center, regardless of the ability of the individual to pay.

''(F) Provide, directly or through contract, to the extent covered for adults in the State Medicaid plan under title XIX of the Social Security Act and for children in accordance with section 1905(r) of such Act regarding early and periodic screening, diagnosis, and treatment, each of the following services:

''(i) Screening, assessment, and diagnosis, including risk assessment.

''(ii) Person-centered treatment planning or similar processes, including risk assessment and crisis planning.

''(iii) Outpatient mental health and substance use services, including screening, assessment, diagnosis, psychotherapy, medication management, and integrated treatment for mental illness and substance abuse which shall be evidence-based (including cognitive behavioral therapy and other such therapies which are evidence-based).

''(iv) Outpatient clinic primary care screening and monitoring of key health indicators and health risk (including screening for diabetes, hypertension, and cardiovascular disease and monitoring of weight, height, body mass index (BMI), blood pressure, blood glucose or HbA1C, and lipid profile).

''(v) Crisis mental health services, including 24-hour mobile crisis teams, emergency crisis intervention services, and crisis stabilization.

''(vi) Targeted case management (services to assist individuals gaining access to needed medical, social, educational, and other services and applying for income security and other benefits to which they may be entitled).

''(vii) Psychiatric rehabilitation services including skills training, assertive community treatment, family psychoeducation, disability self-management, supported employment, supported housing services, therapeutic foster care services, and such other evidence-based practices as the Secretary may require.

''(viii) Peer support and counselor services and family supports.

''(G) Maintain linkages, and where possible enter into formal contracts with the following:

''(i) Federally qualified health centers.

''(ii) Inpatient psychiatric facilities and substance use detoxification, post-detoxification step-down services, and residential programs.

''(iii) Adult and youth peer support and counselor services.

''(iv) Family support services for families of children with serious mental or substance use disorders.

''(v) Other community or regional services, supports, and providers, including schools, child welfare agencies, juvenile and criminal justice agencies and facilities, housing agencies and programs, employers, and other social services.

''(vi) Onsite or offsite access to primary care services.

''(vii) Enabling services, including outreach, transportation, and translation.

''(viii) Health and wellness services, including services for tobacco cessation.

''(4) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed as prohibiting States receiving funds appropriated through the Community Mental Health Services Block Grant under subpart I of part B of this title from financing qualified community programs (whether such programs meet the definition of eligible programs prior to or after the date of enactment of this subsection).

''(5) LIMITATION.—With respect to federally-qualified behavioral health centers authorized under this subsection, 20 percent of the total number of such centers shall become newly eligible to receive reimbursement under this section in each of the first 5 years after the initial year of eligibility through fiscal year 2022. In implementing this paragraph, the Secretary shall ensure geographic diversity of such sites, take into account the ability of such sites to provide required services, and the ability of such sites to report required data.''.

SEC. 3. MEDICAID COVERAGE AND PAYMENT FOR COMMUNITY BEHAVIORAL HEALTH CENTER SERVICES.

(a) PAYMENT FOR SERVICES PROVIDED BY FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS.—Section 1902(bb) of the Social Security Act (42 U.S.C. 1396a(bb)) is amended—

(1) in the heading, by striking ''AND RURAL HEALTH CLINICS'' and inserting '', FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTERS, AND RURAL HEALTH CLINICS'';

(2) in paragraph (1), by inserting ''(and beginning with fiscal year 2013 with respect to services furnished on or after January 1, 2013, and each succeeding fiscal year, for services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center)'' after ''by a rural health clinic'';

(3) in paragraph (2)—

(A) by striking the heading and inserting ''INITIAL FISCAL YEAR'';

(B) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, for services furnished on and after January 1, 2013, during fiscal year 2013)'' after ''January 1, 2001, during fiscal year 2001'';

(C) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, during fiscal years 2010 and 2011)'' after ''1999 and 2000''; and

(D) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, during fiscal year 2013)'' before the period;

(4) in paragraph (3)—

(A) in the heading, by striking ''FISCAL YEAR 2002 AND SUCCEEDING'' and inserting ''SUCCEEDING''; and

(B) by inserting ''(or, in the case of services described in section 1905(a)(2)(D) furnished by a federally-qualified community behavioral health center, for services furnished during fiscal year 2013 or a succeeding fiscal year)'' after ''2002 or a succeeding fiscal year'';

(5) in paragraph (4)—

(A) by inserting ''(or as a federally-qualified community behavioral health center after fiscal year 2011)'' after ''or rural health clinic after fiscal year 2000'';

(B) by striking ''furnished by the center or'' and inserting ''furnished by the federally qualified health center, services described in section 1905(a)(2)(D) furnished by the federally-qualified community behavioral health center, or'';

(C) in the second sentence, by striking ''or rural health clinic'' and inserting '', federally-qualified community behavioral health center, or rural health clinic'';

(6) in paragraph (5), in each of subparagraphs (A) and (B), by striking ''or rural health clinic'' and inserting '', federally-qualified community behavioral health center, or rural health clinic''; and

(7) in paragraph (6), by striking ''or to a rural health clinic'' and inserting '', to a federally-qualified community behavioral health center for services described in section 1905(a)(2)(D), or to a rural health clinic''.

(b) INCLUSION OF COMMUNITY BEHAVIORAL HEALTH CENTER SERVICES IN THE TERM MEDICAL ASSISTANCE.—Section 1905(a)(2) of the Social Security Act (42 U.S.C. 1396d(a)(2)) is amended—

(1) by striking ''and'' before ''(C)''; and

(2) by inserting before the semicolon at the end the following: '', and (D) federally-qualified community behavioral health center services (as defined in subsection (l)(4))''.

(c) DEFINITION OF FEDERALLY-QUALIFIED COMMUNITY BEHAVIORAL HEALTH CENTER SERVICES.—Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)) is amended by adding at the end the following paragraph:

''(4)(A) The term 'community behavioral health center services' means services furnished to an individual at a federally-qualified community behavioral health center (as defined by subparagraph (B)).

''(B) The term 'federally qualified community behavioral health center' means an entity that is certified under section 1913(c) of the Public Health Service Act as meeting the criteria described in paragraph (3) of such section.''.

SEC. 4. COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENT.

Title V of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''PART H—COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS

''SEC. 560. GRANTS FOR COMMUNITY-BASED MENTAL HEALTH INFRASTRUCTURE IMPROVEMENTS.

''(a) GRANTS AUTHORIZED.—The Secretary may award grants to eligible entities to expend funds for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals.

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

''(1) a State that is the recipient of a Community Mental Health Services Block Grant under subpart I of part B of title XIX and a Substance Abuse Prevention and Treatment Block Grant under subpart II of such part; or

''(2) an Indian tribe or a tribal organization (as such terms are defined in sections 4(b) and 4(c) of the Indian Self-Determination and Education Assistance Act).

''(c) APPLICATION.—A eligible entity desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and containing—

''(1) a plan for the construction or modernization of facilities used to provide mental health and substance abuse services to individuals that—

''(A) designates a single State or tribal agency as the sole agency for the supervision and administration of the grant;

''(B) contains satisfactory evidence that such agency so designated will have the authority to carry out the plan;

''(C) provides for the designation of an advisory council, which shall include representatives of nongovernmental organizations or groups, and of the relevant State or tribal agencies, that aided in the development of the plan and that will implement and monitor any grant awarded to the eligible entity under this section;

''(D) in the case of an eligible entity that is a State, includes a copy of the State plan under section 1912(b) and section 1932(b);

''(E)(i) includes a listing of the projects to be funded by the grant; and

''(ii) in the case of an eligible entity that is a State, explains how each listed project helps the State in accomplishing its goals and objectives under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part;

''(F) includes assurances that the facilities will be used for a period of not less than 10 years for the provision of community-based mental health or substance abuse services for those who cannot pay for such services, subject to subsection (e); and

''(G) in the case of a facility that is not a public facility, includes the name and executive director of the entity who will provide services in the facility; and

''(2) with respect to each construction or modernization project described in the application—

''(A) a description of the site for the project;

''(B) plans and specifications for the project and State or tribal approval for the plans and specifications;

''(C) assurance that the title for the site is or will be vested with either the public entity or private nonprofit entity who will provide the services in the facility;

''(D) assurance that adequate financial resources will be available for the construction or major rehabilitation of the project and for the maintenance and operation of the facility;

''(E) estimates of the cost of the project; and

''(F) the estimated length of time for completion of the project.

''(d) SUBGRANTS BY STATES.—

''(1) IN GENERAL.—A State that receives a grant under this section may award a subgrant to a qualified community program (as such term is used in section 1913(b)(1)).

''(2) USE OF FUNDS.—Subgrants awarded pursuant to paragraph (1) may be used for activities such as—

''(A) the construction, expansion, and modernization of facilities used to provide mental health and substance abuse services to individuals;

''(B) acquiring and leasing facilities and equipment (including paying the costs of amortizing the principal of, and paying the interest on, loans for such facilities and equipment) to support or further the operation of the subgrantee;

''(C) the construction and structural modification (including equipment acquisition) of facilities to permit the integrated delivery of behavioral health and primary care of specialty medical services to individuals with co-occurring mental illnesses and chronic medical or surgical diseases at a single service site; and

''(D) acquiring information technology required to accommodate the clinical needs of primary and specialty care professionals.

''(3) LIMITATION.—Not to exceed 15 percent of grant funds may be used for activities described in paragraph (2)(D).

''(e) REQUEST TO TRANSFER OBLIGATION.—An eligible entity that receives a grant under this section may submit a request to the Secretary for permission to transfer the 10-year obligation of facility use, as described in subsection (c)(1)(F), to another facility.

''(f) AGREEMENT TO FEDERAL SHARE.—As a condition of receipt of a grant under this section, an eligible entity shall agree, with respect to the costs to be incurred by the entity in carrying out the activities for which such grant is awarded, that the entity will make available non-Federal contributions (which may include State or local funds, or funds from the qualified community program) in an amount equal to not less than $1 for every $1 of Federal funds provided under the grant.

''(g) REPORTING.—

''(1) REPORTING BY STATES.—During the 10-year period referred to in subsection (c)(1)(F), the Secretary shall require that a State that receives a grant under this section submit, as part of the report of the State required under the Community Mental Health Services Block Grant under subpart I of part B of title XIX and the Substance Abuse Prevention and Treatment Block Grant under subpart II of such part, a description of the progress on—

''(A) the projects carried out pursuant to the grant under this section; and

''(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during such 10-year period.

''(2) REPORTING BY INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—The Secretary shall establish reporting requirements for Indian tribes and tribal organizations that receive a grant under this section. Such reporting requirements shall include that such Indian tribe or tribal organization provide a description of the progress on—

''(A) the projects carried out pursuant to the grant under this section; and

''(B) the assurances that the facilities involved continue to be used for the purpose for which they were funded under such grant during the 10-year period referred to in subsection (c)(1)(F).

''(h) FAILURE TO MEET OBLIGATIONS.—

''(1) IN GENERAL.—If an eligible entity that receives a grant under this section fails to meet any of the obligations of the entity required under this section, the Secretary shall take appropriate steps, which may include—

''(A) requiring that the entity return the unused portion of the funds awarded under this section for the projects that are incomplete; and

''(B) extending the length of time that the entity must ensure that the facility involved is used for the purposes for which it is intended, as described in subsection (c)(1)(F).

''(2) HEARING.—Prior to requesting the return of the funds under paragraph (1)(B), the Secretary shall provide the entity notice and opportunity for a hearing.

''(i) COLLABORATION.—The Secretary may establish intergovernmental and interdepartmental memorandums of agreement as necessary to carry out this section.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2013 through 2017.''.

SEC. 5. EXPANDED PARTICIPATION IN 340B PROGRAM.

Section 340B(a)(4) of the Public Health Service Act (42 U.S.C. 256b(a)(4)) is amended by adding at the end the following:

''(P) An entity receiving funds under subpart I of part B of title XIX of this Act for the provision of community mental health services.

''(Q) An entity receiving funds under subpart II of part B of title XIX of this Act for the provision of treatment services for substance abuse.''.

By Mr. HOEVEN (for himself, Mr. BLUNT, Ms. KLOBUCHAR, Mr. CRAPO, and Mr. JOHANNS):

S. 2264. A bill to provide liability protection for claims based on the design, manufacture, sale, offer for sale, introduction into commerce, or use of certain fuels and fuel additives, and for other purposes; to the Committee on Environment and Public Works.

Mr. HOEVEN. Mr. President, I rise to introduce bipartisan energy legislation, the Domestic Fuels Act. This legislation is designed to help hard-working Americans with the high fuel prices, the high gas prices they are paying at the pump. This legislation will truly help us do ''all of the above'' when it comes to producing and providing lower cost energy for American consumers, American businesses, and to fuel our economy, help create jobs, and also to create greater national energy security. It is part of what I believe we need to do to truly have an energy security plan for our country.

I wish to take a few minutes to talk about the Domestic Fuels Act. We are going to start with a quick review of gas prices. As we all very well know, gas prices are high, and they continue to go higher. AAA indicated this week the national average for a gallon of gasoline is $3.91 a gallon. Gasoline prices, over the last 3 years of the current administration, have more than doubled from about roughly $1.87 to the national average today of more than $3.90. I believe there are nine States right now where, on average, gas is more than $4 a gallon. In Chicago, for example, I believe it is about $4.68. Over here, a few blocks from the Capitol, I checked not too long ago and it was $4.39 a gallon.

This puts enormous pressure and strain on American consumers, hard-working Americans, every day, when they are being forced to fill their car at the gas pump and spend close to $4 per gallon. Some predictions are that later this summer, it may go to $5 a gallon. Clearly, we have to find a way to help with gasoline prices across this country.

What it comes down to is supply and demand. More supply creates downward pressure on gasoline prices; more demand, of course, pushes prices higher. So we have to find ways to increase the supply and increase the supply in a dependable way. That means not only increasing supply now but having policies in place that increase supply now and in the future.

We need to send signals to the market that we are serious about growing our supply of energy—all types of energy—certainly gas and oil but all types of energy in this country, as well as working with our neighbors we can count on, such as Canada, for more supplies to help reduce the price of gasoline and, frankly, reduce the cost of all types of energy to help get the economy going, to have more national security and more jobs to put the 13 million people who are unemployed back to work. Energy is a key aspect of creating the type of economic environment that will help us do that.

This chart shows our current level of crude oil production. The first bar shows that between ourselves and Canada, we produce just under 10 million barrels of crude and crude equivalent right now. In North America—Canada and the United States—we produce under 10 million barrels of crude today. That comes not only from conventional oil but oil shale, tight oil, oil sands, Arctic, and offshore—all these different sources.

Under the current policies, we can see by looking at this next bar that over the next 15 years the supply of oil and gas coming from Canada and the United States will shrink. Under the current policies and the current approach, without the kind of energy policy we need in this country, we actually will have less oil and gas from Canada and the United States over the next 15 years.

The key is this: We have to implement the kind of energy policy that will help us produce more energy, oil and gas, and from all sources, traditional and renewable. That is what we are talking about with this Domestic Fuels Act.

The third bar on this chart shows that just from oil and gas, with the right kinds of policies over the next 15 years—this is a 15-year timeframe—we can produce more oil and gas in Canada and the United States than we consume. So before we bring in other types of energy—biofuels and any other types, any renewable energy we want to include, just from oil and gas, with the right kinds of policies in Canada and the United States, over the next 15 years we can produce more energy than we consume.

Think what that means in terms of helping bring down the price of gasoline and in terms of creating jobs in our country; think of what that means in terms of national security, not needing to depend on crude oil from the Middle East. That is just with the right policies to develop more oil and gas. Of course, we can develop all the other types of energy resources as well.

Let's not take 15 years to get this done. Let's have a plan for national energy security that gets it done in the next 5 to 7 years. There is no question we can do it. We can absolutely do it. How do we do it? Very simple and very common sense. When we talk about producing ''all of the above,'' let's actually do that. Let's not say ''all of the above'' and then block energy production. Let's have the kinds of energy policies in place, traditional sources and renewable sources, on a bipartisan basis. Let's put the types of policies in place that will truly help us get to energy security, and let's do it over the next 5 to 7 years. Let's increase oil production in the United States and Canada. Let's have the policies that help us produce more oil onshore and off. Let's increase natural gas production and usage.

Again, let's join with Canada and do this with North American energy. We have incredible potential with Canada. We are the closest friends and allies in the world. Let's increase the renewable fuels we produce right here at home. We can do that with a market-based approach. Let's increase our use of renewable fuels with market-based approaches that work. Let's use technology to drive energy production—produce more energy—with better environmental stewardship.

We can do all these things. When we talk about an energy security plan or the path to energy security in our country, these are very commonsense steps. I have bills, as do other Members of this body, on a bipartisan basis, to do all these things—increase oil production, increase the use of natural gas, increase renewables with market-based approaches, and use technology

to drive energy and do it with better environmental stewardship.

One of the things I submitted legislation to do is approve the Keystone Pipeline. It is an issue that has been very much in the national discussion. It has gotten a lot of attention. It is a straightforward concept. It simply says let's develop the infrastructure in our country, so that as we produce more oil in Canada—Canada has the third largest oil reserves in the world. No. 1 is Saudi Arabia, No. 2 is Venezuela, and No. 3 is Canada. Let's work with Canada to tap and use more of that oil. If we don't, it will go to China. But we can do it. We simply have to develop the infrastructure and work with Canada.

What has the opposition to that oil development been? A number of arguments have come up. The main one behind it is, some people say we don't want to produce oil in the oil sands; we don't want to do that. The concern, in their opinion, is greenhouse gas. It has about a 6-percent higher greenhouse gas emission than conventional drilling production.

The important point is—going back to the last chart, which I mentioned in the national energy security plan is let's use technology to produce more energy with better stewardship. What I mean is, when we talk about the oil sands, rather than using the current excavation method, 80 percent of the new development is going to in situ, which is essentially drilling. So it is basically the same footprint and same greenhouse gas emissions as conventional drilling for oil and gas. So let's use that new technology to produce more energy, more oil in the Canadian oil sands, and do it with better environmental stewardship.

We will then be getting oil from a dependable ally, rather than getting 30 percent of our crude from the Middle East and Venezuela. It is just common sense. We win with more energy at a lower cost. We win with job creation, and we win with better environmental stewardship. We need to just get the right policies, the right law, and the right approach to how we regulate these things in place.

That is what the Domestic Fuels Act is all about. It is an example of exactly how we do that. The Domestic Fuels Act essentially says, all right, when we pull up to the gas station, we should be able to get whatever fuel provides the best energy for what we need at the best possible price.

It is about consumer choice, and it is about lowering the cost at the pump.

Right now, when you pull in, very often the petroleum retail marketer has multiple tanks in order to dispense various types of fuel. It might be traditional gasoline from petroleum, it might be some blend of petroleum and ethanol, he might have biodiesel, and increasingly service stations, gas stations, are looking to market natural gas. But think about it. If they have to have a different set of tanks, different set of piping, and different dispensers for each type of fuel, then they have to make a choice, don't they. They can maybe offer gasoline from petroleum, they can maybe offer some ethanol blend, they can maybe offer biodiesel, or maybe they try natural gas; right?

But if they have to have tanks and pumps and piping for each one, think of the cost—hundreds of thousands of dollars.

So how do you get consumer choice? How do you get consumer choice in there? Also, how do you get the lowest price? If petroleum-based gasoline versus ethanol-based is cheaper, well, then, maybe they want to offer straight petroleum, not have a blend. But if they can mix it with ethanol, offer even up to E85, and that is cheaper, they may want to offer that. If they want to offer biodiesel rather than traditional diesel or if they want to offer natural gas—because increasingly we have trucks and buses particularly in our urban areas using natural gas—how do they do it? That is the point.

What this act provides is that the EPA has to streamline the process so a service station or gas station can use their existing tanks and equipment so they can decide to offer any one of those products. Now we have more consumer choice and we have a way to drive down prices at the pump—drive down the cost of gasoline, drive down the cost of biofuels, drive down the cost of natural gas, or whatever it is—consumer choice, lower prices, and that extends back through the production chain as well. If I produce ethanol, if I produce biodiesel, if I produce gasoline or natural gas, I know I am going to be able to market those products to consumers.

This is about looking to the future instead of looking to the past. This isn't about government spending any more money. This is about the government empowering industry, empowering entrepreneurship, empowering the energy sector, and empowering our consumers with choice and lower costs at the pump. It is just common sense. It is just common sense. We give the marketer a way to market whatever product makes the most sense and whatever best serves the consumers at the best price. We give them liability protection so they know they can go forward and offer these different products without worrying about being sued and losing their livelihood so they are willing to do it. We provide a clear and simple pathway so they know what they have to accomplish in order to best serve their consumers and build their business.

This is about the right kind of legal framework. This is about the right kind of legislation that is clear, understandable, and empowering. This is how we get government working for people rather than people working for government. This is how we build the right kind of energy future based on all of the above. This isn't just about saying, hey, let's do all of the above when it comes to energy development. This is about doing it. This is about making a difference for the American consumer, and we can do it.

This legislation is bipartisan legislation. I am very pleased Senator ROY BLUNT of Missouri is cosponsoring it with me, along with AMY KLOBUCHAR of Minnesota, MIKE CRAPO of Idaho, and I believe we will have many others joining us on both sides of the aisle. Also, we are working with Representative JOHN SHIMKUS in the House who will be introducing companion legislation as well.

The other point I want to make in concluding is that we have broad-based support from companies and people who work in the traditional energy sector as well as the renewable energy sector, who make the equipment that dispense gasoline and other types of fuel products and the people who sell gasoline and all types of fuel. They are all onboard.

Let me give an example. From the renewable fuels energy sector, we have the Renewable Fuels Association endorsing this legislation, and also Growth Energy. From traditional oil and gas, the American Petroleum Institute has endorsed this legislation, as has Tesoro Corporation and ExxonMobil, and there are many others. From the service stations—the marketers that actually dispense the product—endorsing this legislation is the National Association of Convenience Stores, the Society of Independent Gasoline Marketers of America, the Petroleum Marketers Association of America, and the National Association of Truck Stop Operators. From the people who make the equipment, the manufacturers that make the equipment, we have received endorsements as well from the American Fuel and Petrochemical Manufacturers and also the Outdoor Power Equipment Institute.

Look, everybody is onboard. Now we need to get to work and get it in place. This is about building the right kind of energy future for our country. We have to get going. Gasoline prices are $4 at the pump, and they are going higher. We can do something about it, and that is exactly what we need to do.

I urge my colleagues to join me in this effort on behalf of the American people.

By Mr. FRANKEN (for himself, Ms. SNOWE, and Mr. ENZI):

S. 2271. A bill to amend the Internal Revenue Code of 1986 to extend the time for making S corporation elections, and for other purposes; to the Committee on Finance.

Mr. FRANKEN. Mr. President, today I am introducing the Small Business Election Simplification Act with my friends, Senators SNOWE and ENZI.

I want to thank them for this collaboration, and I especially want to acknowledge Senator SNOWE for her leadership. As Ranking Member of the Committee on Small Business and Entrepreneurship, Senator SNOWE is one

of the Senate's experts on small business issues. She is always working to make sure that the Federal Government meets the needs of small businesses and is committed to creating the best possible environment for entrepreneurs.

That is exactly what our legislation is about—making it easier and more straightforward for entrepreneurs to start small businesses.

When starting up a new business, entrepreneurs often choose to organize their business as an S Corporation because of its simplicity. Owners of S Corporations report business income on their individual tax returns. So instead of having their business profits taxed at the corporate level of 35 percent, they pay taxes at their individual income tax rate. Not only is this simpler, but it also often saves small business owners money.

To become an S Corporation, small business owners have to go through what's called an ''election process'' and submit an election form to the IRS. The deadline to submit this election form is currently set a year in advance of the tax return deadline for businesses. This means that a new small business owner must know to submit the election form a full year before they have to do their taxes.

Unsurprisingly, many first-time business owners are unaware of this rule and therefore miss the election deadline. These taxpayers must wait an additional year before their business becomes an S Corporation, which can have serious tax consequences. Or they must go through a late election process with the IRS, which can be time-consuming and costly.

This is a real problem. In 2009, nearly 100,000 S Corporation returns could not be processed as filed. That was almost a quarter of all new S Corporation fillings. Missing or late elections is one of the main reasons that returns are rejected as filed.

The National Taxpayer Advocate—whose job is to watch out for the needs of taxpayers—described the current S Corporation election process as an undue burden on small businesses. Simplifying the S Corporation election process was one of 11 legislative recommendations outlined in the National Taxpayer Advocate's 2011 Annual Report to Congress.

Our legislation does just that. The Small Business Election Simplification Act would extend and coordinate S Corporation deadlines. It would match the S Corporation election deadline for new businesses with the deadline for tax returns. This would reduce the number of taxpayers who inadvertently miss the S Corporation election deadline and suffer negative tax consequences.

To further simplify the process and reduce paperwork, our legislation would also allow new small businesses to elect to become an S Corporation simply by designating the election on their S Corporation tax return. This would eliminate the need for business owners to fill out an additional election form.

Here in the Senate, we are always saying that small businesses are the engine of our economy; that they are the job creators; and that we need to support entrepreneurs coming up with the next big idea that will get our economy growing again.

Passing the Small Business Election Simplification Act is one thing we can do to help them. It can make a difference right now. By making it easier and more straightforward for new small businesses to become S Corporations, our legislation would free business owners to concentrate on the important stuff—like growing their business and hiring new workers, instead of worrying about IRS election form deadlines and learning about complicated business tax rules.

I urge my colleagues to support this legislation and send it to the President's desk to be signed into law as soon as possible.

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. 2271

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 ''Small Business Election Simplification Act''.

SEC. 2. EXTENSION OF TIME FOR MAKING S CORPORATION ELECTIONS.

(a) IN GENERAL.—Subsection (b) of section 1362 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) WHEN MADE.—

''(1) RULES FOR NEW CORPORATIONS.—Except as provided in paragraph (2)—

''(A) IN GENERAL.—An election under subsection (a) may be made by a small business corporation for any taxable year at any time during the period—

''(i) beginning on the first day of the taxable year for which made, and

''(ii) ending on the due date (with extensions) for filing the return for the taxable year.

''(B) CERTAIN ELECTIONS TREATED AS MADE FOR NEXT TAXABLE YEAR.—If—

''(i) an election under subsection (a) is made for any taxable year within the period described in subparagraph (A), but

''(ii) either—

''(I) on 1 or more days in such taxable year and before the day on which the election was made the corporation did not meet the requirements of subsection (b) of section 1361, or

''(II) 1 or more of the persons who held stock in the corporation during such taxable year and before the election was made did not consent to the election,

then such election shall be treated as made for the following taxable year.

''(C) ELECTION MADE AFTER DUE DATE TREATED AS MADE FOR FOLLOWING TAXABLE YEAR.—If—

''(i) a small business corporation makes an election under subsection (a) for any taxable year, and

''(ii) such election is made after the due date (with extensions) for filing the return for such year and on or before the due date (with extensions) for filing the return for the following taxable year,

then such election shall be treated as made for the following taxable year.

''(2) RULES FOR EXISTING C CORPORATIONS.—In the case of any small business corporation which was a C corporation for the taxable year prior to the taxable year for which the election is made under subsection (a), the rules under this paragraph shall apply in lieu of the rules under paragraph (1):

''(A) IN GENERAL.—An election under subsection (a) may be made by a small business corporation for any taxable year—

''(i) at any time during the preceding taxable year, or

''(ii) at any time during the taxable year and on or before the 15th day of the 3d month of the taxable year.

''(B) CERTAIN ELECTIONS MADE DURING 1ST 2½ MONTHS TREATED AS MADE FOR NEXT TAXABLE YEAR.—If—

''(i) an election under subsection (a) is made for any taxable year during such year and on or before the 15th day of the 3d month of such year, but

''(ii) either—

''(I) on 1 or more days in such taxable year and before the day on which the election was made the corporation did not meet the requirements of subsection (b) of section 1361, or

''(II) 1 or more of the persons who held stock in the corporation during such taxable year and before the election was made did not consent to the election,

then such election shall be treated as made for the following taxable year.

''(C) ELECTION MADE AFTER 1ST 2½ MONTHS TREATED AS MADE FOR FOLLOWING TAXABLE YEAR.—If—

''(i) a small business corporation makes an election under subsection (a) for any taxable year, and

''(ii) such election is made after the 15th day of the 3d month of the taxable year and on or before the 15th day of the 3rd month of the following taxable year,

then such election shall be treated as made for the following taxable year.

''(D) TAXABLE YEARS OF 2½ MONTHS OR LESS.—For purposes of this paragraph, an election for a taxable year made not later than 2 months and 15 days after the first day of the taxable year shall be treated as timely made during such year.

''(3) AUTHORITY TO TREAT LATE ELECTIONS, ETC., AS TIMELY.—If—

''(A) an election under subsection (a) is made for any taxable year after the date prescribed by this subsection for making such election for such taxable year or no such election is made for any taxable year, and

''(B) the Secretary determines that there was reasonable cause for the failure to timely make such election,

the Secretary may treat such an election as timely made for such taxable year.

''(4) MANNER OF ELECTION.—Elections may be made at any time as provided in this subsection by filing a form prescribed by the Secretary. For purposes of any election described under paragraph (1), the Secretary shall provide that the election may be made on any timely filed small business corporation return for such taxable year, with the consents of all persons who held stock in the corporation during such taxable year included therewith.

''(5) SECRETARIAL AUTHORITY.—The Secretary may prescribe such regulations, rules, or other guidance as may be necessary or appropriate for purposes of applying this subsection.''.

(b) REVOCATIONS.—Paragraph (1) of section 1362(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''subparagraph (D)'' in subparagraph (C) and inserting ''subparagraphs (D) and (E)'', and

(2) by adding at the end the following new subparagraph:

''(E) AUTHORITY TO TREAT LATE REVOCATIONS AS TIMELY.—If—

''(i) a revocation under subparagraph (A) is made for any taxable year after the date prescribed by this paragraph for making such revocation for such taxable year or no such revocation is made for any taxable year, and

''(ii) the Secretary determines that there was reasonable cause for the failure to timely make such revocation,

the Secretary may treat such a revocation as timely made for such taxable year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to elections for taxable years beginning after the date of the enactment of this Act.

By Ms. MURKOWSKI:

S. 2273. A bill to designate the Talkeetna Ranger Station in Talkeetna, Alaska, as the Walter Harper Talkeetna Ranger Station; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that would officially rename the Talkeetna Ranger Station in Talkeetna, Alaska, the Walter Harper Talkeetna Ranger Station.

The Talkeetna Ranger Station, which is the home of Denali National Park's mountaineering rangers, sits just about 100 miles south of the entrance to the park. Of course, the landmark that's most commonly linked to both the park and the ranger station itself happens to be the mountain that features a summit which represents the highest point in North America: Denali.

In fact, anybody who intends to attempt a climb of Mt. McKinley is required to first stop at the Talkeetna Ranger Station for their permit and mountain orientation.

It is only fitting, then, that we honor the memory of Alaska Native Walter Harper by forever linking his name with this specific ranger station. It was Mr. Harper, that 100 years ago next year became the first person to reach the summit of Mt. McKinley.

My bill is a simple one, and it is not likely to gain much notice outside of Alaska. Within my home state, however, this small gesture means a great deal. Alaskans, like the people who call any other state home, are proud of the historical accomplishments of their fellow Alaskans. Walter Harper was one such Alaskan, and his feat is one that will always be remembered.

Certainly, officially designating the Talkeetna Ranger Station—the very building where any hiker today planning to climb Mt. McKinley is required to first stop—the Walter Harper Talkeetna Ranger Station is a fitting tribute to the man himself, as well as his spot in our state's history books.

June 7 of next year, 2013, will mark the 100 year anniversary of Mr. Harper's historic climb. It would truly be special for Alaska and Alaskans to have this designation in place by that date.

By Mr. GRASSLEY (for himself, Mr. COONS, Mr. COBURN, and Mr. SESSIONS):

S. 2276. A bill to permit Federal officers to remove cases involving crimes of violence to Federal court; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise today in support of a bill that I am introducing on behalf of a bipartisan group of Senators, the Officer Safety Act of 2012, S. 2276. This bill allows a Federal law enforcement agent, who stops a violent crime while off-duty and is indicted in a State court for those actions, to petition for the State criminal prosecution against him to be removed to Federal court.

The bill effectuates this change by amending the Federal removal statute, found in 28 United States Code, Section 1442, to clarify when a Federal law enforcement officer is acting under the color of his office.

As a 2003 Judiciary Committee report stated, ''Law enforcement officers are never 'off-duty.' '' Many are required to carry an off-duty weapon. When they fly on personal business, they are expected to carry their weapon and check-in with the airline as a Federal law enforcement agent so they can defend the pilots and passengers if something bad happens. In fact, Federal agents are specifically paid to be available 24 hours a day, 7 days a week. Agents can be disciplined if they are not available when called.

They are not even allowed to engage in activities on their personal time that regular citizens take for granted, like coaching their kids' sports teams, if it might interfere with their ability to respond to a crisis.

Federal law enforcement agents are extensively trained, at the expense of the taxpayer for the benefit of the taxpayer. They not only train in basic academies, but they are required to participate in additional and regular training and re-certifications many times each year. If training is missed or if standards are not up to par, the agent is disciplined or removed. Federal law enforcement agencies take training requirements very seriously. The United States is known for having the best trained Federal law enforcement officers in the world.

So what if one of these exceptionally trained Federal law enforcement agents walks into the grocery store on a Saturday and witnesses a woman being repeatedly hit by her husband; do we want him to walk past the woman? No. The taxpayers spend money on his training so that he can protect victims, not walk away from them. In this situation, we all hope that he would use his training to protect the victim. But when he steps in to protect the victim from a crime of violence occurring in his presence, he risks state criminal prosecution and damage to his career. That might lead him to hesitate. This is contrary to good public policy. If we were the victim in this scenario, every one of us would want that Federal law enforcement officer to help us.

If a Federal agent acts to protect an individual in his presence from a crime of violence, as taxpayer dollars have trained him to do, and then is indicted in State court for that act, he should have the right to defend himself within the Federal court system.

So the Officer Safety Act amends the removal statute, found in Title 28, United States Code, Section 1442, to clarify when a Federal law enforcement officer is acting under the color of his office. This bill does not provide immunity for law enforcement agents, and it does not grant them additional authority. It doesn't even guarantee that the case will be moved from State to Federal court: the State will be heard and its position will be weighed by the judge before deciding if removal is appropriate. It does allow a Federal law enforcement officer/agent, who is indicted in a State court for actions related to his protection of a victim of a violent crime that is committed in the officer's presence, to petition for that criminal case to be removed to Federal court, where the officer will be required to defend his actions.

Current law provides that removal is proper so long as defendants demonstrate that they are officers of the United States that acted ''under color of'' their office and have a ''colorable federal defense''.

In general, a Federal agent acts ''under color of'' his office when he takes actions that are necessary and reasonable for the discharge of his Federal responsibilities. Accordingly, the prototypical example of a Federal officer acting under color of his office is a Federal law enforcement officer who kills someone while performing an act related to Federal law enforcement and, in the subsequent State homicide prosecution, claims he was acting in self-defense and/or is entitled to official immunity. The Supreme Court has upheld this prototypical example as appropriate for removal from State court to Federal court.

The primary restraint on the current statute's scope is its limitation to defendants who acted under color of Federal office or, in other words, while performing official duties. Defendants must show in their petition for removal that there is a causal nexus between the actions challenged and their Federal duties.

The history of the removal statute explains why this is important. The statute dates back to 1815. It was passed in response to the New England States' opposition to the trade embargo with England during the War of 1812. The law provided for the removal to Federal court of any suit or prosecution commenced in State court against a Federal customs officer or other persons enforcing Federal customs laws.

Thus, Federal agents did not need to fear performing their jobs because the local authorities opposed the embargo and wanted to stop them from enforcing it.

A few decades later, the U.S. Government encountered a similar problem in South Carolina, which in 1833 declared certain Federal tariff laws unenforceable within its borders. Congress responded by authorizing the removal of any suit or prosecution commenced in a State court against an officer of the United States for the enforcement of the Federal revenue laws.

During the Civil War and the Reconstruction era, Congress' disenchantment with State courts in the South led to new Federal officer removal laws. In the 1863 Habeas Corpus Act, Congress provided for the removal of suits or prosecutions against persons acting under Federal authority for actions, or failures to act, during the Civil War. In addition, Congress passed a removal statute similar to those of 1815 and 1833, authorizing the removal of suits or prosecutions commenced in State court against Federal officers for actions, or omissions, related to the collection of Federal revenue. However, it was not until the enactment of the Judicial Code of 1948 that Congress extended the statute to cover all Federal officers.

The courts view the history behind section 1442 and its statutory predecessors as justification for construing the statute broadly to assure the supremacy of U.S. law and protect Federal operations against interference from State judicial proceedings.

This bill does not infringe upon States' rights, as they retain the same due process rights to be heard on the question of removal that have existed since the early 1800s. In fact, this Congress passed a bill by unanimous consent that amended this statute, without a word about States' rights.

Today, Federal law enforcement officers, whether or not in uniform, require protections when they take actions to assist citizens. Civil liability protections are provided to officers under The Good Samaritan Act, codified at Title 28, United States Code, Section 2671. This bill, the Officer Safety Act, while modeled on the Good Samaritan Act, is narrower, more restrictive, and provides no liability protection. Rather, this bill clarifies the ''color of law'' prong required in the removal process, as courts have invited Congress to clarify.

The bill makes no change to the current standards governing when removal is permissible, and therefore leaves alone existing standards and case law. But it provides that in three situations, the law enforcement officer who is a defendant in a State criminal prosecution will be deemed to have acted under color of his or her office: when the officer protects a victim from a violent crime committed in the presence of the officer; when the officer provides immediate assistance to an individual who suffered or is about to suffer imminent bodily harm; and when the officer prevents the escape of an individual the officer reasonably believes committed or was about to commit, in the presence of the officer, a crime of violence that resulted in or was likely to result in serious bodily injury. I believe that in these situations, the Federal courts should always determine that the law enforcement officer acted under the color of his or her office for purposes of determining whether to grant the officer's removal petition. But the courts remain free to determine under current law that there are other circumstances in which an officer seeking removal satisfies the color of office standard.

So the bill is a modest change that nevertheless provides an important layer of safety for the people who risk their lives day-in and day-out to protect us. It will help make our communities safer and protect those who are sworn to guard and serve the American public.

This principle and this bill are supported by the Federal Law Enforcement Officers Association, the Federal Bureau of Investigation Agents Association, and the National Border Patrol Council.

I want to thank Senator COONS, a member of the Committee on the Judiciary, who co-chairs the Senate Law Enforcement Caucus, and is a co-sponsor on this bill. He understands the need to support law enforcement officers who risk their lives every day so that we can sleep safely at night.

Further, I want to thank Senators COBURN and SESSIONS, also members of the Judiciary Committee and co-sponsors. They, too, understand this allows us to support Federal agents without spending a dollar.

''Law enforcement officers are never 'off-duty.' '' To expect them to standby while a victim suffers violent acts in his presence is contrary to the oath they take to protect and renders their tax-funded training wasted as a citizen becomes a victim. Please join me in protecting those who protect us.

By Mr. DURBIN (for himself and Mr. HARKIN):

S. 2280. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, last week, the Consumer Financial Protection Bureau reported that outstanding student loan debt in America has hit the $1 trillion mark—student loans.

A CFPB official was cited by Bloomberg News saying that ''excessive student debt could slow the recovery of the housing market, as young people repay money for their education rather than buying homes.'' Massive student debt is also affecting consumers' ability to purchase goods and services.

Yesterday, at the Subcommittee on Financial Services and General Government hearing focusing on student debt, Treasury Secretary Geithner came to talk about it. While the overall growth of student indebtedness is troubling, the most pressing concern is private student loans.

Secretary Geithner also recognized that private student loans do not come with any of the consumer protections that Federal loans do. Private student loans are far riskier. Federal student loans have fixed, affordable interest rates—3.4 percent. They also have a variety of consumer protections. The Federal loans have forbearance in times of economic hardship, and they offer manageable repayment options, such as the income-based repayment plan.

Private student loans, on the other hand, often have high variable interest rates—some have been quoted at 18 percent, the kind of rates you are careful about when it comes to your credit—and they have hefty origination fees and a lack of repayment options. Private lenders have targeted low-income borrowers with some of the riskiest, highest cost loans.

In many respects, private student loans are like credit cards—except unlike credit card debt, private student loan debt can never be discharged in bankruptcy. In 2005, Congress changed the bankruptcy laws. I want to make a point here: I voted against it. Congress changed the bankruptcy laws and included a provision making private student loan debts nondischargeable in bankruptcy, except in the rarest of circumstances. I have never found one that qualifies. That means students are stuck with their loans for life.

While the volume of private student loans is down from its peak a few years ago when it accounted for 26 percent of all student loans, private lending is still aggressively promoted by the for-profit college industry. The Project on Student Debt reports that 42 percent of for-profit college students had private loans in 2008, up from 12 percent 5 years earlier. For-profit college students also graduate with more debt than their peers who graduate from public or private and non-private colleges. Many for-profit colleges employ a business model that steers students into private student loans because of the 90/10 rule.

For the record, private for-profit schools can only receive 90 percent of their revenue from the Federal Government. They are the closest darn thing to a Federal agency you have ever seen, except they are making millions of dollars at the expense of the government and unsuspecting students and their families. So to find the 10 percent of nonfederal money, for-profit schools get the students to sign up to pay for 10 percent of their education in private student loans, even if they qualify for Federal loans, which are a much better deal.

The 90/10 rule that requires at least 10 percent of revenue from non-Federal

student aid sources makes this an imperative for many for-profit schools. As a result, many students are encouraged to take up private loans when they are still eligible for Federal loans—even when the lenders know the students are going to default—so schools can comply with the 90/10 rule.

Kari Schaab contacted my office seeking relief from her burdensome student debt. She received a bachelor of arts from the International Academy of Design and Technology, a for-profit college. When she spoke to an admissions representative, she was enrolled almost immediately. Looking back, she says of the school: ''They take whoever is willing to pay.''

She was assured she would be able to obtain a position in her field that would help her pay off her student debt. Reflecting on her experience, she said: ''I was young and didn't understand how much I would owe or what the loans were. I trusted them.''

After completing her BA program, she decided that she would pursue a master's in her field. What she found out shocked her. No schools would accept her degree. It was a worthless diploma. With no job, no future in her chosen field, and about $58,000 in debt, she decided to switch careers entirely so that she would be able to pay off her student loans.

She currently attends Oaktown Community College for nursing. She is unable to get a mortgage because of her old student loan debt of $58,000. Worse yet, her parents, trying to help her out, took out $19,000 in loans to help pay her tuition. Her parents are currently in chapter 13 bankruptcy, but that loan won't be discharged.

We need to begin now to address this looming student debt bomb crisis. We need to protect students and prevent more students from stepping into the same traps that have caught so many others.

Today, Senator TOM HARKIN and I are introducing the Know Before You Owe Private Student Loan Act of 2012. Here is what it says: It requires the prospective borrower's school to confirm the student's enrollment status, the cost of attendance, and the estimated Federal financial aid assistance before the private student loan is approved. Often, students haven't applied for Federal student aid before they are asked to apply for private student loans, which are not nearly as generous or flexible.

Requiring school certifications also gives the school the opportunity to make students aware of Federal Government student aid options.

The bill requires schools to counsel the student about their options, tell them how the private student loan will affect those options, and what it will cost to repay the loans. Basics.

In addition, schools will be required to inform students about the differences between Federal and private student loans. And the differences are dramatic. This will give students time to weigh their options, make a choice, and be informed.

When students such as Kari contact my office about their student loans, they often don't know the difference between the two types of loans. They said: ''It was just a student loan, Senator.'' Most go on to say that if they had known, they would have thought more carefully about a private student loan and the debt they were incurring.

For those students who do decide to take out a private student loan, the bill requires lenders to provide the borrower with quarterly up-to-date information about their balance and interest rate.

Finally, the bill requires lenders to report information to the Consumer Financial Protection Bureau about how many students are taking out loans and at what rates. There is very little information about private student loans currently available. More information will help Congress and the CFPB effectively inform consumers about these private student loans.

This legislation is supported by a huge coalition of education, student, and consumer organizations. I want to thank TOM HARKIN for his work on this bill, especially all of the hard work he has put in on these for-profit colleges.

Mr. President, it is finally dawning on a lot of Members of Congress as they see programs such as ''Frontline'' talking about the for-profit college industry, and as they meet these students who are going to these worthless for-profit colleges—students who are just stacking up debt for a worthless diploma—it is time for our Federal Government to step up. How can we blame a student or their family if they are going to a school where we, the Federal Government, are willing to offer Pell grants and Federal loans? What is a student to think? Well, if it is good enough for the Federal Government to loan money, it must be a good school.

In fact, in many instances—in most instances—these for-profit schools are not good schools. They are not offering a good education. There are exceptions, but too many of them are just bad operations. We subsidize them. Ninety to ninety-five percent of their revenue comes straight from the Federal Government. When they talk about freezing Federal employees' salaries, we ought to freeze the employees at these for-profit schools. They are the closest thing to Federal employees we have—95 percent Federal. We don't hear that from the other side of the aisle. But it is a fact.

I will tell you this: This student loan debt bomb we are facing, which I talked to Secretary of the Treasury Geithner about yesterday, is going to explode on us, just as the subprime market loans did. More and more students are going into default. They can't pay back these student loans, and they are going to face life decisions that will change their futures and the future of the American economy.

We now have 40 percent of students who are making payments on their student loans—40 percent. Sixty percent are not. Some are still in school, I will concede that point, but many of them just can't do it. We pile this debt on, we give them preferred treatment in the Bankruptcy Court so the lenders can't have the debt discharged, and we sit there and watch as the lives of these young people deteriorate.

As one young lady testified at my hearing that she borrowed $37,625 from the Federal government, $40,925 in private loans. She went to the Harrington College of Design in the suburbs of Chicago and ended up with a worthless diploma—worthless. Five years later, her debt is no longer $78,000; it is $98,000. It just keeps going up. She pays $830 a month, and the private student loan debt is exploding right in front of her. She can't pay it. She doesn't know what she is going to do. She said she is going to have to give up the little home she and her husband just bought. It looks pretty desperate for her, and her desperate situation faces her at the age of 32—32.

How do we let this happen? Don't we have an obligation as a government, as a people, to stop this exploitation of children and their families? That is what is going on.

This bill I have put in today will require these schools—all schools—to tell the students first that they have Federal loan eligibility left. It is 3.4 percent, not 18 percent. There is loan forgiveness if they become a nurse or a teacher. It is based on the amount of income they have later in life what their repayment is going to be. If they do get into trouble, they can have a delay in payment without watching their loan just stack up. These are basic things we build into the law to help students. Students and their families ought to know that, and that is what this bill is about.

I commend this bill to my colleagues. I hope they will join Senator HARKIN and me. I want to offer this on the Senate floor, and I want some colleagues to go home and face this student loan issue and listen to the families they represent. We are hearing from our Web site, and I invite students and families to come to my official Web site to tell their stories. As we learn what it is all about, we see the need to move on this, and move quickly.

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. 2280

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 ''Know Before You Owe Private Student Loan Act of 2012''.

SEC. 2. AMENDMENTS TO THE TRUTH IN LENDING ACT.

(a) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended—

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

''(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution's certification of—

''(i) the enrollment status of the student;

''(ii) the student's cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

''(iii) the difference between—

''(I) such cost of attendance; and

''(II) the student's estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 and other financial assistance known to the institution, as applicable.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution's certification if such institution fails to provide within 15 business days of the creditor's request for such certification—

''(i) the requested certification; or

''(ii) notification that the institution has received the request for certification and will need additional time to comply with the certification request.

''(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director of the Consumer Financial Protection Bureau.'';

(2) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(3) by inserting after paragraph (8) the following:

''(9) PROVISION OF INFORMATION.—

''(A) PROVISION OF INFORMATION TO STUDENTS.—

''(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months during the time that such student is enrolled at an institution of higher education.

''(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

''(I) report the borrower's total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

''(II) report any debt increases since the last statement; and

''(III) list the current interest rate for each loan.

''(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Consumer Financial Protection Bureau.

''(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Consumer Financial Protection Bureau containing the required information about private student loans to be determined by the Consumer Financial Protection Bureau, in consultation with the Secretary of Education.''.

(b) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(7)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(7)(A)) is amended—

(1) by redesignating clause (ii) as clause (iii);

(2) in clause (i), by striking ''and'' after the semicolon; and

(3) by adding after clause (i) the following:

''(ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and''.

(c) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Consumer Financial Protection Bureau shall issue regulations in final form to implement paragraphs (3) and (9) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a). Such regulations shall become effective not later than 6 months after their date of issuance.

SEC. 3. AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.

(a) AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

''(28)(A) The institution shall—

''(i) upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act, provide certification to such private educational lender—

''(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

''(II) of such student's cost of attendance at the institution as determined under part F of this title; and

''(III) of the difference between—

''(aa) the cost of attendance at the institution; and

''(bb) the student's estimated financial assistance received under this title and other assistance known to the institution, as applicable; and

''(ii) provide the certification described in clause (i), or notify the creditor that the institution has received the request for certification and will need additional time to comply with the certification request—

''(I) within 15 business days of receipt of such certification request; and

''(II) only after the institution has completed the activities described in subparagraph (B).

''(B) The institution shall, upon receipt of a certification request described in subparagraph (A)(i), and prior to providing such certification—

''(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the application was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

''(ii) provide the borrower whose loan application has prompted the certification request by a private education lender, as described in subparagraph (A)(i), with the following information and disclosures:

''(I) The availability of, and the borrower's potential eligibility for, Federal financial assistance under this title, including disclosing the terms, conditions, interest rates, and repayment options and programs of Federal student loans.

''(II) The borrower's ability to select a private educational lender of the borrower's choice.

''(III) The impact of a proposed private education loan on the borrower's potential eligibility for other financial assistance, including Federal financial assistance under this title.

''(IV) The borrower's right to accept or reject a private education loan within the 30-day period following a private educational lender's approval of a borrower's application and about a borrower's 3-day right to cancel period.

''(C) For purposes of this paragraph, the terms 'private educational lender' and 'private education loan' have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the effective date of the regulations described in section 2(c).

SEC. 4. REPORT.

Not later than 24 months after the issuance of regulations under section 2(c), the Director of the Consumer Financial Protection Bureau and the Secretary of Education shall jointly submit to Congress a report on the compliance of institutions of higher education and private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 2, and section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by section 3. Such report shall include information about the degree to which specific institutions utilize certifications in effectively encouraging the exhaustion of Federal student loan eligibility and lowering student private education loan debt.

By Mr. INHOFE (for himself, Mrs. BOXER, Mr. VITTER, Ms. LANDRIEU, Mr. COCHRAN, Mr. JOHNSON of South Dakota, and Ms. KLOBUCHAR):

S. 2282. A bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, today I am pleased to introduce the reauthorization of the North American Wetlands Conservation Act, NAWCA. This bill has overwhelming bipartisan support, and I am pleased to have Senators BOXER, VITTER, LANDRIEU, COCHRAN, JOHNSON, and KLOBUCHAR as original cosponsors.

In fact, this is a conservation program that has long enjoyed support on both sides of the aisle. Back in 2006, I worked with my colleagues to pass the last reauthorization of this program by unanimous consent and was pleased that President Bush signed the bill into law.

This bill also has the support of many conservation and hunting groups including: Archery Trade Association, Association of Fish and Wildlife Agencies, Boone and Crockett Club, Bowhunting Preservation Alliance, Catch-A-Dream Foundation, Congressional Sportsmen's Foundation, Conservation Force, Dallas Safari Club, Delta Waterfowl, Ducks Unlimited, Izaak Walton League of America, Mule Deer Foundation, National Assembly of

Sportsmen's Caucuses, National Rifle Association, National Trappers Association, National Wild Turkey Foundation, North American Bear Foundation, North American Grouse Partnership, Orion-The Hunters' Institute, Pheasants Forever, Pope and Young Club, Public Lands Foundation, Quail Forever, Quality Deer Management Association, Rocky Mountain Elk Foundation, Ruffed Grouse Society, Safari Club International, Texas Wildlife Association, The Conservation Fund, Theodore Roosevelt Conservation Partnership, Whitetails Unlimited, Wildlife Forever, and Wildlife Management Institute

NAWCA was first enacted in 1989 and incentivizes non-federal contributions to maintain and restore wetland habitat throughout North America. Since its inception, each Federal dollar has been matched, on average, by $3.20 in state and private funds. Not only do these funds help to support waterfowl populations that were once nearing all time lows, these voluntary projects also support nearly 7,500 new jobs annually.

The success of this program lies in the fact that these projects are not top down regulations coming from the Federal Government. These projects involve multiple partners from private organizations and the Federal Government who work together voluntarily to protect and restore millions of acres of wetlands.

In my home State of Oklahoma, NAWCA currently has 12 projects either completed or underway. These projects have conserved 26,869 acres of wildlife habitat and leveraged $11.3 million in partner contributions. These projects benefit outdoor recreation, hunting and fishing, as well as boosting local economies.

NAWCA is a great example of how environmental conservation should be achieved. This program should put to rest the notion that voluntary efforts aren't successful. I would argue that these voluntary programs have been more successful and more cost effective than other mandatory Federal regulations.

I look forward to this reauthorization moving quickly through the Senate. Thank you.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 411—CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON ON ITS CONTINUED SUCCESS IN SUPPORT OF THE FOUR DIAMONDS FUND AT PENN STATE HERSHEY CHILDREN'S HOSPITAL

Mr. CASEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 411

Whereas the Pennsylvania State University IFC/Panhellenic Dance Marathon (referred to in this preamble as ''THON'') is the largest student-run philanthropy in the world, with 700 dancers, more than 300 supporting organizations, and more than 15,000 volunteers involved in the annual event;

Whereas student volunteers at the Pennsylvania State University annually collect money and dance for 46 consecutive hours at the Bryce Jordan Center for THON, bringing energy and excitement to the Pennsylvania State University campus for the mission of conquering pediatric cancer and promoting awareness of the disease to thousands of individuals;

Whereas all THON activities support the mission of the Four Diamonds Fund at Penn State Hershey Children's Hospital, which provides financial and emotional support to pediatric cancer patients and their families and funds research on pediatric cancer;

Whereas, each year, THON is the largest donor to the Four Diamonds Fund at Penn State Hershey Children's Hospital, having raised more than $88,000,000 since 1977, when the 2 organizations first became affiliated;

Whereas, in 2012, THON set a new fundraising record of $10,686,924.83, surpassing the previous record of $9,563,016.09, set in 2011;

Whereas THON—

(1) has helped more than 2,000 families through the Four Diamonds Fund;

(2) is helping to build a new Pediatric Cancer Pavilion at Penn State Hershey Children's Hospital; and

(3) has supported pediatric cancer research that has caused some pediatric cancer survival rates to increase to nearly 90 percent; and

Whereas THON has inspired similar events and organizations across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and stay involved in great charitable causes in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pennsylvania State University IFC/Panhellenic Dance Marathon (referred to in this resolution as ''THON'') on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; and

(2) commends the Pennsylvania State University students, volunteers, and supporting organizations who worked hard to put together another record-breaking THON.

SENATE RESOLUTION 412—COMMENDING THE AFRICAN UNION FOR COMMITTING TO A COORDINATED MILITARY RESPONSE, COMPRISED OF 5,000 TROOPS FROM UGANDA, THE CENTRAL AFRICAN REPUBLIC, THE DEMOCRATIC REPUBLIC OF CONGO, AND SOUTH SUDAN, IN ORDER TO FORTIFY ONGOING EFFORTS TO ARREST JOSEPH KONY AND SENIOR COMMANDERS OF THE LORD'S RESISTANCE ARMY AND TO STOP THE CRIMES AGAINST HUMANITY AND MASS ATROCITIES COMMITTED BY THEM

Ms. LANDRIEU (for herself and Mr. BROWN of Ohio) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 412

Whereas the Lord's Resistance Army (LRA) is one of Africa's oldest and most violent armed groups, responsible for committing crimes against humanity against civilian populations, including women and children, and believed to be operating since 2006 in the Central African Republic, the Democratic Republic of Congo, and what would become South Sudan;

Whereas the ongoing atrocities committed by LRA members target innocent civilians, including women and children, and include abduction, murder, mutilation, burning and looting of villages, and destruction of communities and livelihoods, causing the massive displacement of human populations and creating a humanitarian crisis;

Whereas the abduction of children and their forced conversion into LRA fighters is an LRA hallmark and involves initiating children into combat through brutal methods and brainwashing and subjects girls to forced sexual slavery and servitude;

Whereas the governments of those countries most affected by the LRA's reign of terror for over twenty years, including Uganda, the Central African Republic, the Democratic Republic of Congo, and what would become Southern Sudan, are leading efforts, with international support, to apprehend Kony and neutralize the LRA;

Whereas the African Union convened a regional ministerial meeting in October 2010 to bring together countries affected by the LRA, the United Nations, and international partners to address the LRA threat and promote humanitarian assistance and development aid to affected populations, and subsequently authorized, in November 2011, the Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army (RCI-LRA), with a mission to strengthen the operational capabilities of the affected countries and create an environment conducive to stabilizing those areas;

Whereas, on March 5, 2012, the nonprofit organization Invisible Children reinvigorated the national and global dialogue on the LRA and Kony by engaging millions of young citizens via creative social media and inspiring them to demand action and accountability of global leaders, which in turn has mobilized leaders within and outside of the United States Government in support of these concerns;

Whereas, on March 24, 2012, the African Union's Special Envoy for the LRA, Francisco Madeira, and Head of the United Nation's Regional Office for Central Africa, Abou Moussa, launched the operational phase of RCI-LRA by formally announcing the planned deployment of up to 5,000 soldiers to advance anti-LRA and anti-Kony efforts, and the next day formally inaugurated the Headquarters of the Regional Task Force in South Sudan to coordinate efforts to eliminate Kony and neutralize the LRA;

Whereas, in December 2008, Operation Lightning Thunder, a multinational effort, failed to capture and kill Kony in northern Congo, and escaping LRA fighters killed more than 800 civilians, abducted at least 160 children, and pillaged villages en route to the Central African Republic in an incident known as the Christmas Massacres, according to Human Rights Watch; and

Whereas enhanced international and regional cooperation and coordination are necessary to apprehend Kony and LRA leaders while protecting civilian populations against devastating retaliatory attacks: Now, therefore, be it

Resolved, That the Senate—

(1) commends the African Union for committing to enhanced troop deployments that will fortify the military response to the Lord's Resistance Army, in coordination with the Governments of Uganda, the Central African Republic, the Democratic Republic of Congo, and the Republic of South Sudan, in order to strengthen ongoing efforts