

1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1796

At the request of Mr. ISAKSON, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1796, a bill to make permanent the Internal Revenue Service Free File program.

S. 2003

At the request of Mrs. FEINSTEIN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2003, a bill to clarify that an authorization to use military force, a declaration of war, or any similar authority shall not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States and for other purposes.

S. 2017

At the request of Mr. CARDIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2017, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 2103

At the request of Mr. LEE, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2118

At the request of Mr. CORNYN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2118, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Illinois (Mr. KIRK) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2205

At the request of Mr. MORAN, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2205, a bill to prohibit funding to negotiate a United Nations Arms Trade Treaty that restricts the Second Amendment rights of United States citizens.

S. 2245

At the request of Mr. BARRASSO, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2245, a bill to preserve

existing rights and responsibilities with respect to waters of the United States.

S. 2325

At the request of Mr. NELSON of Florida, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2347

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2347, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 2371

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2371, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 2388

At the request of Mr. BEGICH, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2388, a bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 3053

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3053, a bill to require Regional Administrators of the Environmental Protection Agency to be appointed by and with the advice and consent of the Senate.

S.J. RES. 38

At the request of Mr. GRAHAM, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S.J. Res. 38, a joint resolution disapproving a rule submitted by the Department of Labor relating to the certification of nonimmigrant workers in temporary or seasonal nonagricultural employment.

S. RES. 402

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. WYDEN) 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.

S. RES. 450

At the request of Mr. GRAHAM, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 450, a resolution designating May 15, 2012, as "National MPS Awareness Day".

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 3081. A bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes; to the Committee on Finance.

Mr. DURBIN. 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. 3081

*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 "Tobacco Tax Equity Act of 2012".

### SEC. 2. ESTABLISHING EXCISE TAX EQUITY AMONG ALL TOBACCO PRODUCT TAX RATES.

(a) TAX PARITY FOR PIPE TOBACCO AND ROLL-YOUR-OWN TOBACCO.—Section 5701(f) of the Internal Revenue Code of 1986 is amended by striking "\$2.8311 cents" and inserting "\$24.78".

(b) TAX PARITY FOR SMOKELESS TOBACCO.—

(1) Section 5701(e) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking "\$1.51" and inserting "\$13.42";

(B) in paragraph (2), by striking "50.33 cents" and inserting "\$5.37"; and

(C) by adding at the end the following:

"(3) SMOKELESS TOBACCO SOLD IN DISCRETE SINGLE-USE UNITS.—On discrete single-use units, \$50.33 per thousand."

(2) Section 5702(m) of such Code is amended—

(A) in paragraph (1), by striking "or chewing tobacco" and inserting "chewing tobacco, or discrete single-use unit";

(B) in paragraphs (2) and (3), by inserting "that is not a discrete single-use unit" before the period in each such paragraph;

(C) by adding at the end the following:

"(4) DISCRETE SINGLE-USE UNIT.—The term 'discrete single-use unit' means any product containing tobacco that—

"(A) is not intended to be smoked; and

"(B) is in the form of a lozenge, tablet, pill, pouch, dissolvable strip, or other discrete single-use or single-dose unit."

(c) TAX PARITY FOR LARGE CIGARS.—Paragraph (2) of section 5701(a) of the Internal Revenue Code of 1986, as amended by this Act, is amended by striking "but not more than 40.26 cents per cigar" and inserting "but not less than 5.033 cents per cigar and not more than 100.66 cents per cigar".

(d) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO AND CERTAIN PROCESSED TOBACCO.—Subsection (o) of section 5702 of the Internal Revenue Code of 1986 is amended by inserting "or processed tobacco removed or transferred to a person other than a person with a permit provided under section 5713" after "wrappers thereof".

(e) CLARIFYING TOBACCO PRODUCT DEFINITION AND TAX RATE.—

(1) IN GENERAL.—Subsection (c) of section 5702 of the Internal Revenue Code of 1986 is amended to read as follows:

"(c) TOBACCO PRODUCTS.—The term 'tobacco products' means—

"(1) cigars, cigarettes, smokeless tobacco, pipe tobacco, and roll-your-own tobacco, and

"(2) any other product containing tobacco that is intended or expected to be consumed."

(2) TAX RATE.—Section 5701 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(i) OTHER TOBACCO PRODUCTS.—Any product described in section 5702(c)(2) or not otherwise described under this section, including any product that has been determined to be a tobacco product by the Food and Drug Administration through its authorities under the Family Smoking Prevention and Tobacco Control Act, shall be taxed at a level of tax equivalent to the tax rate for cigarettes on an estimated per use basis as determined by the Secretary.”.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the last day of the month which includes the date of the enactment of this Act.

(2) DISCRETE SINGLE-USE UNITS AND PROCESSED TOBACCO.—The amendments made by subsections (b)(1)(C), (b)(2), and (d) shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the date that is 6 months after the date of the enactment of this Act.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 453—EXPRESSING THE SENSE OF THE SENATE THAT SUPPORTING SENIORS AND INDIVIDUALS WITH DISABILITIES IS AN IMPORTANT RESPONSIBILITY OF THE UNITED STATES, AND THAT A COMPREHENSIVE APPROACH TO EXPANDING AND SUPPORTING A STRONG HOME CARE WORKFORCE AND MAKING LONG-TERM SERVICES AND SUPPORTS AFFORDABLE AND ACCESSIBLE IN COMMUNITIES IS NECESSARY TO UPHOLD THE RIGHT OF SENIORS AND INDIVIDUALS WITH DISABILITIES IN THE UNITED STATES TO A DIGNIFIED QUALITY OF LIFE

Mr. HARKIN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 453

Whereas the aging of the baby boom generation will cause the number of individuals in the United States who are 65 years of age or older to increase from 40,000,000 to 70,000,000 during the next 2 decades;

Whereas 12,000,000 adults, nearly half of whom are under 65 years of age, need long-term services and supports due to functional limitations;

Whereas the decision of the Supreme Court in *Olmstead v. L.C.*, 527 U.S. 581 (1999), mandates the end of unnecessary segregation of individuals with disabilities in institutions, and requires that individuals with disabilities receive services in the most integrated setting appropriate to their needs;

Whereas the vast majority of individuals in the United States prefer to receive long-term services and supports in their homes so that they may continue to live independently and with dignity;

Whereas the costs of long-term services and supports for seniors and individuals with disabilities are high;

Whereas the great expense of long-term services and supports can affect all individuals, regardless of income;

Whereas 70 percent of individuals who are 65 years of age or older will need some form of long-term services and supports;

Whereas the number of individuals who need long-term services and supports is projected to grow from 12,000,000 to 27,000,000 by 2050;

Whereas there are approximately 3,000,000 workers in the direct care workforce, leaving a huge gap between the services needed and the size of the current workforce;

Whereas the United States is experiencing a jobs crisis, as 25,000,000 individuals are unemployed or underemployed;

Whereas home care is one of the fastest growing industries in the United States economy, providing critical daily care, services, and supports to millions of individuals and families across the country;

Whereas an estimated 1,800,000 additional home care workers will be needed during the next decade to serve the growing population of seniors and individuals with disabilities;

Whereas the quality of home care jobs is poor, with low wages, few benefits, high turnover, and a high level of job stress and hazards;

Whereas home care and personal assistance workers earn a median hourly wage of \$9.40, and nearly half of such workers live in households that also rely on public assistance;

Whereas approximately 58 percent of home care workers work part-time, and approximately 40 percent of those part-time workers would prefer to work more hours;

Whereas nearly 23 percent of the individuals who provide home care services were born outside the United States;

Whereas a stabilized home care workforce would lead to improved continuity and quality of long-term services and supports;

Whereas the issue of long-term services and supports is a critical issue for women, as 70 percent of individuals who need such care are women 65 years of age or older, 90 percent of paid caregivers are women, and 85 percent of family members and friends who informally provide care are women who often have to leave the paid workforce to provide such care, and thus are at a financial disadvantage during their working years and face a reduction in Social Security benefits when they retire; and

Whereas a comprehensive approach that focuses on job creation and job quality, workforce training, pathways to citizenship and career advancement, and support for individuals and families is necessary to build a strong home care workforce and make quality long-term services and supports affordable and accessible for all individuals in the United States: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that a comprehensive approach to expanding and supporting a strong home care workforce and making long-term services and supports affordable and accessible in communities is necessary to uphold the right of seniors and individuals with disabilities in the United States to a dignified quality of life.

SENATE RESOLUTION 454—COMMENDING THE NUCLEAR REGULATORY COMMISSION AND THE DEPARTMENT OF ENERGY HOSTING THE THIRD INTERNATIONAL CONFERENCE ON NUCLEAR POWER PLANT LIFE MANAGEMENT

Mr. CRAPO (for himself, Mr. CARPER, Ms. LANDRIEU, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 454

Whereas the Third International Conference on Nuclear Power Plant Life Management has been organized by the International Atomic Energy Agency and will be hosted in the United States for the first time from May 13–17, 2012, in Salt Lake City, Utah;

Whereas the Senate recognizes the important contribution of the United States, through the Nuclear Regulatory Commission, Department of Energy, and National Laboratories, to nuclear power plant life management;

Whereas conference attendees will discuss ways to safely and cost-effectively renew the operating lifetimes of many of the nuclear power plants in the world, especially the 104 operating commercial nuclear power reactors in the United States; and

Whereas the Senate recognizes the continuing importance of the 436 commercial nuclear power reactors that operate in 31 countries and currently provide 14 percent of the electricity in the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the Nuclear Regulatory Commission and the Department of Energy for hosting the Third International Conference on Nuclear Power Plant Life Management in the United States;

(2) applauds the efforts of conference attendees to discuss and explore the increased role of nuclear power plant life management in support of license renewal and the safe, long-term operation of commercial nuclear reactors throughout the world;

(3) thanks the International Atomic Energy Agency for organizing the Third International Conference on Nuclear Power Plant Life Management in the United States for the first time; and

(4) encourages Member States of the International Atomic Energy Agency to take advantage of the latest available technology to further develop licensing programs, promote safety, and secure the long-term success of commercial nuclear power generation.

SENATE RESOLUTION 455—DESIGNATING JUNE 27, 2012, AS ‘NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS DAY’

Mr. CONRAD (for himself, Mr. BLUMENTHAL, Mr. CASEY, Mr. COONS, Mr. HOEVEN, Mr. LEAHY, Mr. ROCKEFELLER, Mr. SANDERS, Ms. SNOWE, Ms. STABENOW, Ms. MIKULSKI, Mr. TESTER, Mr. KERRY, and Mr. JOHNSON of South Dakota) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 455

Whereas the brave men and women of the United States Armed Forces, who proudly serve the United States, risk their lives to protect the freedom of the United States and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being;

Whereas more than 2,000,000 service members have deployed overseas as part of overseas contingency operations since the events of September 11, 2001;

Whereas the military has sustained an operational tempo for a period of time unprecedented in the history of the United States, with many service members deploying multiple times, placing them at high risk of PTSD;

Whereas according to the Armed Forces Health Surveillance Center, approximately