

(2) FULL FUNDING.—Section 3 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6) is amended to read as follows: “SEC. 3. AVAILABILITY OF FUNDS.

“Monies covered into the fund under section 2 shall be available for expenditure to carry out the purposes of this Act, without further appropriation.”.

By Mr. KERRY (for himself, Mrs. LINCOLN, and Ms. LANDRIEU):

S. 2748. A bill to amend the Internal Revenue Code of 1986 to extend for one year the employer wage credit for employees who are active duty members of the uniformed services; to the Committee on Finance.

Mr. KERRY. Mr. President, today I am introducing the Small Business and Military Families Assistance Act which provides an extension of a provision included in the Heroes Earnings Assistance and Relief Tax, HEART, Act of 2008 which passed last Congress. Senator LINCOLN is a cosponsor. The HEART Act has been referred to as the “thank you bill” and that is very appropriate. The purpose of the HEART Act was to provide military families with well deserved tax relief. As we approach Veterans Day, I believe that it is appropriate to extend the tax credit for small employers of reservists called to active duty.

The best definition of patriotism is keeping faith with those who serve our country. That means giving our troops the resources they need to keep them safe while they are protecting us. It means supporting our troops at home as well as abroad.

Currently, there are over 120,000 military personnel serving in Iraq. There are approximately 68,000 U.S. service members in Afghanistan. Many of these men and women are reservists and have been called to active duty, frequently for multiple tours.

Most large businesses have the resources to provide supplemental income to reservist employees called up. I applaud the businesses that have been able to pay supplemental income to their reservists, but it is not easy for small businesses to do the same.

In January 2007, the Committee on Small Business and Entrepreneurship held a hearing on veterans’ small business issues. A majority of our veterans returning from Iraq and Afghanistan are Reserve and National Guard members—35 percent of whom are either self-employed or own or are employed by a small business.

We heard some disturbing statistics about the impact and unintended consequences the call up of reservists is having on small businesses. According to a January 2007 survey conducted by Workforce Management, 54 percent of the businesses surveyed responded that they would not hire a citizen soldier if they knew that they could be called up for an indeterminate amount of time. I am concerned that long call ups and re-deployments have made it hard for small businesses to be supportive of civilian soldiers.

The HEART Act provides a tax credit to small businesses to assist with the

cost of paying the salary of their reservist employees when they are called to active duty. This tax credit provides an incentive for small employers to eliminate any pay gap between civilian and military pay. The provision provides small businesses with less than 50 employees with a tax credit of 20 percent of the differential pay. The maximum credit is \$4,000. The credit is for amounts paid for before January 1, 2010. My legislation would extend this provision for an additional year.

While our reservists are continuing to serve, we should continue to provide assistance. Now is not the time to end this credit which helps small business do the right thing. During these difficult economic times, it is a struggle for small business to pay their employees who are called up a wage differential.

Our service men and women need to know that we are honoring their service. An extension of the small business credit will help our military families with some of their financial burdens. It cannot repay the sacrifices they have made for us, but it is a small way we can support our troops and their families.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 343—TO CONSTITUTE THE MAJORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED ELEVENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 343

Resolved, That the following shall constitute the majority party’s membership on the following committee for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Chairman), Mr. Byrd, Mr. Inouye, Mr. Dodd, Mrs. Feinstein, Mr. Durbin, Mr. Nelson (Nebraska), Mrs. Murray, Mr. Pryor, Mr. Udall (New Mexico), Mr. Warner.

SENATE RESOLUTION 344—EXPRESSING THE SENSE OF THE SENATE REGARDING THE TRAGIC SHOOTING AT FORT HOOD, TEXAS ON NOVEMBER 5, 2009

Mrs. HUTCHISON (for herself, Mr. CORNYN, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs.

FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 344

Whereas Fort Hood, Texas, the largest military installation in the world, is home to numerous distinguished units of the Armed Forces of the United States, including the Third Corps, the First Cavalry Division, the Third Armored Cavalry Regiment, and others;

Whereas Fort Hood has long been a source of pride for the State of Texas and for all the people of the United States who value the selfless service and sacrifice of our men and women in uniform;

Whereas the soldiers, family members, and civilian employees who live and serve at Fort Hood play a critical role in the defense of our Nation;

Whereas the soldiers of Fort Hood have served with honor and distinction in the Global War on Terror, frequently on the front lines in the combat theaters of Iraq and Afghanistan; and

Whereas the Fort Hood community experienced a monumental tragedy on November 5, 2009, when a gunman opened fire on large groups of soldiers on the installation: Now, therefore, be it

Resolved, That the Senate—

(1) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims killed or wounded in the senseless violence that occurred on November 5, 2009;

(2) offers support and hope for a full recovery for those who have been wounded;

(3) honors the heroic service, actions, and sacrifices of law enforcement personnel, first responders, soldiers present on the scene, medical personnel, and countless others who aided the innocent victims of this attack; and

(4) shares in the pain and grief felt by the people of the United States in the aftermath of this tragic event.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2737. Mr. UDALL of New Mexico (for himself, Mr. BINGAMAN, and Mr. BOND) proposed an amendment to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

SA 2738. Mr. WARNER (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2739. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2740. Mr. AKAKA (for himself, Mr. INOUE, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2741. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2742. Mr. BURR (for himself and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2743. Mr. BURR (for himself and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2744. Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 3082, supra; which was ordered to lie on the table.

SA 2745. Mr. FRANKEN (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 3082, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2737. Mr. UDALL of New Mexico (for himself, Mr. BINGAMAN, and Mr. BOND) proposed an amendment to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 52, after line 21, add the following:
SEC. 229. Of the amount appropriated or otherwise made available by this title under the heading "MEDICAL SERVICES", \$150,000,000 shall be available for the grant program under section 2011 of title 38, United States Code, and per diem payments under section 2012 of such title.

SA 2738. Mr. WARNER (for himself and Mr. WEBB) submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 27, between lines 3 and 4, insert the following:

SEC. 128. (a) Of the funds appropriated or otherwise made available by this title under the heading "DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT, 2005", \$450,000 shall be available for the Secretary of Defense to enter into an arrangement with the National Academy of Sciences to conduct a study through the Transportation Research Board of Federal funding of transportation improvements to accommodate installation growth associated with the 2005 Defense Base Closure and Realignment (BRAC) program.

(b) The study conducted pursuant to subsection (a) shall—

(1) examine case studies of congestion caused on metropolitan road and transit facilities when BRAC requirements cause shifts in personnel to occur faster than facilities can be improved through the usual State and local processes;

(2) review the criteria used by the Defense Access Roads (DAR) program for determining the eligibility of transportation projects and the appropriate Department of Defense share of public highway and transit improvements in BRAC cases;

(3) assess the adequacy of current Federal surface transportation and Department of Defense programs that fund highway and transit improvements in BRAC cases to mitigate transportation impacts in urban areas with preexisting traffic congestion and saturated roads;

(4) identify promising approaches for funding road and transit improvements and streamlining transportation project approvals in BRAC cases; and

(5) provide recommendations for modifications of current policy for the DAR and Office of Economic Adjustment programs, including funding strategies, road capacity assessments, eligibility criteria, and other government policies and programs the National Academy of Sciences may identify, to mitigate the impact of BRAC-related installation growth on preexisting urban congestion.

(c) The Secretary of Defense shall enter into an arrangement with the National Academy of Sciences to provide the study conducted pursuant to subsection (a) by not later than 45 days after the date of the enactment of the Act.

(d)(1) Not later than May 15, 2010, the National Academy of Sciences shall provide an interim report of its findings to the Secretary of Defense and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

(2) Not later than January 31, 2011, the National Academy of Sciences shall provide a final report of its findings to the Secretary of Defense and the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

SA 2739. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:
SEC. 229. Not later than January 29, 2010, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representative a report on the use of advanced technology to automate the administration of veterans disability claims. Such report shall include the following:

(1) A survey of advanced technology that can be used for such automation.

(2) An assessment of the feasibility and advisability of using such technology for such automation.

SA 2740. Mr. AKAKA (for himself, Mr. INOUE, and Mr. BURR) submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for

other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:
SEC. 229. Section 315(b) of title 38, United States Code, is amended by striking "December 31, 2009" and inserting "December 31, 2010".

SA 2741. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:
SEC. 229. (a) ADDITIONAL AMOUNT FOR STATE VETERANS CEMETERIES.—The amount appropriated by this title under the heading "GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES" is hereby increased by \$4,000,000.

(b) OFFSET.—The amount appropriated or otherwise made available by this title under the heading "GENERAL OPERATING EXPENSES" is hereby decreased by \$4,000,000.

SA 2742. Mr. BURR (for himself and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:
SEC. 229. (a) ADDITIONAL AMOUNT FOR HOMELESS VETERANS COMPREHENSIVE SERVICE PROGRAMS AND HOUSING ASSISTANCE AND SUPPORTIVE SERVICES.—The amount appropriated by this title under the heading "MEDICAL SERVICES" is hereby increased by \$43,387,240, with the amount of the increase to be available for the following:

(1) The grant program under section 2011 of title 38, United States Code.

(2) Per diem payments under section 2012 of such title.

(3) Housing assistance and supportive services under subchapter V of chapter 20 of such title.

(b) OFFSETTING RESCISSION.—There is hereby rescinded, from amounts appropriated for fiscal years beginning before fiscal year 2010 for the guaranteed transitional housing loan program authorized by subchapter VI of chapter 20 of title 38, United States Code, that remain available for obligation as of the date of the enactment of this Act, the amount of \$43,387,240.

(c) REDUCTION IN AVAILABILITY OF FUNDS FOR GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM.—The amount made available by this title under the heading "GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT" is hereby reduced by \$750,000.

SA 2743. Mr. BURR (for himself and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 2730 proposed by Mr. JOHNSON (for himself and Mrs. HUTCHISON) to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes;