Fishery in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XX35) received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6903. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XX55) received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6904. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; American Samoa Pelagic Longline Limited Entry Program'' (RIN0648–XX41) received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6905. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XX49) received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6906. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish, Pacific Ocean Perch, and Pelagic Shelf Rockfish for Catcher Vessels Participating in the Limited Access Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XX35) received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6907. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Foreign Direct Products of U.S. Technology'' (RIN0694–AE27) received in the Office of the President of the Senate on July 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6908. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''The Jurisdictional Scope of Commodity Classification Determinations and Advisory Opinions Issued by the Bureau of Industry and Security'' (RIN0694–AE94) received in the Office of the President of the Senate on July 27, 2010; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–136. A resolution adopted by the Legislature of the State of Minnesota expressing its strong opposition to the creation of a federal insurance charter as proposed in S. 40/H.R. 3200 and any other such federal legislation that would threaten the power of the state legislatures, governors, insurance commissioners, and attorneys general to oversee, regulate, and investigate the business of insurance, and to protect consumers; to the Committee on Banking, Housing, and Urban Affairs.

RESOLUTION NO. 3

Whereas, the current financial crisis facing the United States and the world is causing Congress and the Administration to review the current regulatory structure presently in force with the object of revising it; and

Whereas, the Federal Reserve Board of Governors, Comptroller of the Currency, Securities and Exchange Commission, and other federal regulatory institutions failed their responsibility, causing great harm to the financial system of the United States; and

Whereas, the prime example of the failure of the federal regulatory institutions to exercise their responsibility is AIG; and

Whereas, the failure of AIG has been caused by the actions and activities of its holding company, the regulation of which is the sole responsibility of the federal government; and

Whereas, the regulation of AIG's insurance company subsidiaries has been the responsibility of the state regulators who have fulfilled their responsibilities, which is demonstrated by the fact that none of the approximately 170 insurance subsidiaries has failed; and

Whereas, regulation, oversight, and consumer protection have traditionally and historically been powers reserved to state governments under the McCarron-Ferguson Act of 1945; and

Whereas, state legislatures are more responsive to the needs of their constituents and the need for insurance products and regulation to meet their state's unique market demands; and

Whereas, many states, including Minnesota, have recently enacted and amended state insurance laws to modernize market regulation and provide insurers with greater ability to respond to changes in market conditions; and

Whereas, state legislatures, the National Conference of Insurance Legislators (NCOIL), the National Association of Insurance Commissioners (NAIC), and the National Conference of State Legislators (NCSL) continue to address uniformity issues between states by the adoption of model laws that address market conduct, product approval, agent and company licensing, and rate deregulation; and

Whereas, new federal legislation to create a national insurance charter is expected to be introduced in 2009 that will have the potential to fundamentally alter the role of state governments in the insurance industry, thereby creating an unwieldy and unnecessary federal bureaucracy proposed without consumer and constituent demand; and

Whereas, such initiatives as S. 40/H.R. 3200—the National Insurance Act of 2007—proposed optional federal charter legislation may bifurcate insurance regulation and result in a labyrinth of federal and state directives that would promote ambiguity and confusion among consumers; and

Whereas, bills such as S. 40/H.R. 3200 would allow insurance companies choosing a federal charter to avoid state insurance regulatory oversight and evade important state consumer protections; and

Whereas, the mechanism that would have been set up under S. 40/H.R. 3200 cannot respond to the unique insurance market dynamics and local constituent concerns present in each of the 50 states as state regulation does; and

Whereas, bills such as S. 40/H.R. 3200 have the potential to compromise state guaranty fund coverage, and employers could end up absorbing losses otherwise covered by these safety nets for businesses affected by insolvencies; and

Whereas, bills such as S. 40/H.R. 3200 would ultimately impose the costs of a new and needless federal bureaucracy upon businesses and the public; and

Whereas, many state governments derive general revenue dollars from the regulation of the business of insurance, including nearly $14 billion in premium taxes and $2.7 billion in fees and assessments generated in 2006—of which the state of Minnesota generated over $346 million; and

Whereas, bills such as S. 40/H.R. 3200 threaten the loss of over $10 million in state revenues from insurance fees and assessments, thereby putting at risk the funding of a wide array of essential state services; now, therefore, be it

Resolved, by the Legislature of the State of Minnesota, That it joins the National Conference of Insurance Legislators in expressing its strong opposition to creation of a federal insurance charter as proposed in S. 40/H.R. 3200 and any other such federal legislation that would threaten the power of state legislatures, governors, insurance commissioners, and attorneys general to oversee, regulate, and investigate the business of insurance, and to protect consumers; and be it further

Resolved, That the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the chair and members of the United States Senate Committee on Banking, Housing, and Urban Affairs, the chair and members of the United States House of Representatives Committee on Financial Services, and Minnesota's Senators and Representatives in Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR (for herself and Mr. DORGAN):

S. 3679. A bill to establish a grant program in the Department of Transportation to improve the traffic safety of teen drivers; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN:

S. 3680. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD:

S. 3681. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Mr. BURR):

S. Res. 602. A resolution expressing support for the goals and ideals of National Infant Mortality Awareness Month 2010; considered and agreed to.

By Mr. SPECTER (for himself, Mr. LUGAR, Mr. LEAHY, Mr. BURR, Mr. BAYH, Mr. PRYOR, Mr. BURRIS, Mrs. LINCOLN, Mr. DORGAN, Mrs. GILLIBRAND, Mr. DURBIN, Mr. BOND, Mrs. MCCASKILL, Mr. BENNETT, Mr. CASEY, Mr. COCHRAN, Mr. UDALL of New Mexico, Ms. KLOBUCHAR, Mrs. MURRAY, Ms. CANTWELL, Mrs. HAGAN, Mrs. HUTCHISON, Mr. ISAKSON, and Mr. COBURN):

S. Res. 603. A resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as ''Citizen Diplomacy Day''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 1643

At the request of Ms. SNOWE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1643, a bill to amend the Internal Revenue Code of 1986 to allow a credit for the conversion of heating using oil fuel to using natural gas or biomass feedstocks, and for other purposes.

S. 3034

At the request of Mr. SCHUMER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3669

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3669, a bill to increase criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

S. RES. 579

At the request of Mr. BROWNBACK, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 579, a resolution honoring the life of Manute Bol and expressing the condolences of the Senate on his passing.

AMENDMENT NO. 4567

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 4567 proposed to H.R. 1586, an act to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 3680. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I rise today to introduce the Family and Medical Leave Inclusion Act. This is a bill—previously introduced in the House of Representatives on a bipartisan basis—that would extend the important protections of the Family and Medical Leave Act to same-sex couples in America. Under current law, it is impossible for many employees to be with their partners during times of medical need.

The late Senator Edward Kennedy once said, ''It is wrong for our civil laws to deny any American the basic right to be part of a family, to have loved ones with whom to build a future and share life's joys and tears, and to be free from the stain of bigotry and discrimination.''

America has a rich history of embracing those once discriminated against and making them part of our nation's family. All Americans—regardless of their background—are deserving of dignity and respect.

In 1993, Congress passed the Family and Medical Leave Act to, among other things, protect American workers facing either a personal health crisis, or that of a close family member.

Thanks to the FMLA, those people in the workforce who suffer a serious illness or significant injury are able to take time to heal, recover, follow their doctors' orders, and return to their jobs strong, healthy, and ready to be productive again. Most importantly, they know that they will still have jobs to return to, because those are protected by the law.

Likewise, workers who learn the terrible news that a child, a parent, or a spouse is sick or injured, and in need of help from a loved one, can provide that care and support knowing that their jobs are not in jeopardy for doing so.

In passing the FMLA, Congress followed the lead of many large and small businesses which had already recognized and addressed this need. These companies had put in place systems that gave their employees time to heal themselves or their family members, and ensured that those employees would return to work as soon as they could. In standing by their employees in a time of need, these companies accomplished three laudable goals: they eased the burden of those employees in crisis, they reassured the rest of their employees that they too would be covered should they find themselves in need of that protection, and they ensured the return of these skilled and trusted employees, sparing business the expense and effort of recruiting and training new people. It was a win-win strategy.

The FMLA took that model and its benefits and brought the majority of the American workforce under the same protections.

Today, once again, we have the opportunity to learn from a number of forward-thinking, pioneering businesses—big and small and across the United States—who have taken it upon themselves to improve on the protections provided by law. While respecting the spirit and purpose of the FMLA, these companies have simply recognized the changing nature of the modern American family.

According to the Human Rights Campaign—a leading civil rights organization that strongly supports the Family and Medical Leave Inclusion Act—461 major American corporations, nine states, and the District of Columbia now extend FMLA benefits to include leave on behalf of a same-sex partner.

In 1993, the FMLA was narrowly tailored to apply only to those caring for a very close family member. The idea was to capture that inner circle of people, where the family member assuming the caretaker role would be one of very few, if not the only person, who could do so. That idea is still valid, and that idea has not changed.

What has changed are the people who might be in that inner circle. The nuclear American family has grown—sometimes by design, and sometimes by necessity. More and more, that inner circle of close family might include a grandparent or grandchild, siblings, or same-sex domestic partners in loving and committed relationships.

As the law stands right now, too many of these people are left outside of the protections of the FMLA.

Earlier this summer, the U.S. Department of Labor issued guidance clarifying that an individual serving as a parent, but who may not have a legal or biological relationship to a child, is eligible to take FMLA leave to care for that child or attend to a birth or adoption. As Labor Secretary Hilda Solis noted, ''No one who intends to raise a child should be denied the opportunity to be present when that child is born simply because the state or an employer fails to recognize his or her relationship with the biological parent. . . . The Labor Department's action today sends a clear message to workers and employers alike: All families, including LGBT families, are protected by the FMLA.''

I applaud the Labor Department and the Obama Administration for sending this important message, but unfortunately, the FMLA statute still does not allow an employee to take leave to care for a same-sex partner. We must act to truly make these important protections available to all families.

At times like these, when we as a nation are experiencing a difficult employment market, those with good jobs know the value of those jobs and are working as hard as they can to keep them. Those people should never have to weigh the value of their employment security against family duties to care for a loved one.