

SENATE RESOLUTION 636—CONGRATULATING WALTER BREUNING ON THE OCCASION OF HIS 114TH BIRTHDAY

Mr. BAUCUS (for himself and Mr. TESTER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 636

Whereas Walter Breuning of Great Falls, Montana is the oldest living man in the world and will celebrate his 114th birthday on September 21, 2010;

Whereas Walter Breuning has given back to his communities throughout his life through his service to the Shriners International;

Whereas Walter Breuning served as manager and secretary of the Great Falls Shriners Club until the age of 99;

Whereas Walter Breuning is a 33rd degree Mason, the most advanced level for that fraternal group;

Whereas Walter Breuning began working for the Great Northern Railway at the age of 16 and gave 50 years of service to the railroad;

Whereas Walter Breuning is an honorary member of the Great Northern Railway Historical Society;

Whereas Walter Breuning has practiced good health habits throughout his many years and has lived life to the fullest;

Whereas Walter Breuning has witnessed many monumental events in history and can teach all people of the United States about the lessons he learned throughout his life; and

Whereas Walter Breuning is an outstanding citizen of, and an ambassador for, the State of Montana: Now, therefore, be it

Resolved, That the Senate congratulates Walter Breuning, the oldest living man in the world, on the occasion of his 114th birthday.

Mr. BAUCUS. Mr. President, today I am submitting a resolution honoring Walter Breuning, the oldest living man in the world. Walter is celebrating his 114th birthday today.

He was born in Melrose, MN on September 21, 1896, and moved to Great Falls, MT, in 1918 while working for the Great Northern Railway. Walter is still a proud resident of Great Falls and delights fellow residents, staff, and visitors at The Rainbow Senior Living home.

Despite all the honor and attention bestowed upon him for being the oldest living man in the world, Walter is very humble. He has worked hard all his life and advises others to do the same. When I called him last year to wish him a happy birthday, that is exactly what he said to me. Walter began working for the Great Northern Railway at the age of 16 and gave 50 years of service to the railway. When he retired in 1963, Walter didn't stop working; he began a second career, one that would last until he was 99, as the manager and secretary of the Great Falls Shriner's Club.

Community service has been a big part of Walter's life and when he visits with young people he always encourages them to give back to their communities. Walter is a 33rd degree Mason, the most advanced level for that fraternal organization.

Walter has practiced healthy habits all his life, and those have contributed greatly to his longevity. He has eaten only two meals a day for the past 30 years and says he is most grateful for his good health over the years. These healthy habits have helped Walter live life to the fullest. He enjoys visiting with the many folks that come from all over to hear the insights of the oldest living man in the world.

I am proud to join today with folks from around Montana and across the world in wishing Walter a very happy birthday. He is a great ambassador for our State and I thank him for all his community involvement and service over the years. He truly represents the best of Big Sky Country.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, 114 years old, your constituent? I guess Senator BAUCUS treats his constituents well.

SENATE RESOLUTION 637—COMMENDING THE SEATTLE STORM FOR WINNING THE 2010 WOMEN'S NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIP

Ms. CANTWELL (for herself and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 637

Whereas, on September 16, 2010, the Seattle Storm (referred to in this preamble as the "Storm") defeated the Atlanta Dream by a score of 87 to 84 to win the Women's National Basketball Association (referred to in this preamble as the "WNBA") Championship;

Whereas this victory is the second championship in the 11-year history of the Storm franchise;

Whereas the Storm had the most wins in the league during the 2010 regular season;

Whereas the Storm tied the record for wins in a WNBA regular season with 28, including a 13-game win streak;

Whereas the Storm did not lose a single game at home during the entire 2010 season;

Whereas the 2010 season was the best season in Storm franchise history;

Whereas the Storm had a regular season record of 28-6 and a winning percentage of .824, the best of any professional sports team in Seattle history;

Whereas the Storm won all 7 games the team played in the postseason, becoming only the fourth WNBA team to win the championship without a postseason loss, the first since 2002;

Whereas center/forward Lauren Jackson was named the Most Valuable Player of the WNBA Finals, scoring 67 points and earning 24 rebounds during the series;

Whereas Lauren Jackson was named the Most Valuable Player of the WNBA regular season for the third time in her WNBA career;

Whereas Lauren Jackson received the most votes of the All-WNBA first team, and guard Sue Bird was named to the All-WNBA second team;

Whereas Lauren Jackson and Sue Bird won their second career championships with the Storm;

Whereas each of the starting players for the Storm scored at least 10 points in the final game;

Whereas the owners of the Storm, Dawn Trudeau, Lisa Brummel, Anne Levinson, and

Ginny Gilder, have invested in the success of the Storm and prevented the franchise from leaving Seattle;

Whereas the owners of the Storm have set the example for the leadership of women in professional sports;

Whereas head coach of the Storm, Brian Agler, with the help of assistant coach Nancy Darsch, led the team to its second WNBA championship through leadership and a winning philosophy;

Whereas head coach Brian Agler was named the 2010 WNBA Coach of the Year;

Whereas the management of the Storm has been successful in building an outstanding team by drafting new players and signing key free agents;

Whereas the Storm is headquartered in the 7th Congressional District of Washington in the Interbay neighborhood of Seattle, Washington;

Whereas the Storm is the only professional basketball franchise in the City of Seattle; and

Whereas the 2010 Storm team is evidence of what can be accomplished when self is set aside and a teamwork mentality is adopted by all of the players: Now, therefore, be it

Resolved, That the Senate—

(1) commends—

(A) the Seattle Storm for winning Women's National Basketball Association championship; and

(B) the people of Washington State for their support of the team;

(2) recognizes the achievements of all the players, coaches, and support staff who were instrumental in the success of the Seattle Storm during the 2010 Women's National Basketball Association season; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display to the Seattle Storm.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4626. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4627. Mrs. MURRAY (for herself, Mr. BROWNBACK, Ms. CANTWELL, and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4628. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4629. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4630. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4631. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4632. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4633. Mr. SHELBY (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4634. Mr. CORKER (for himself and Mr. KYL) submitted an amendment intended to

be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4635. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4636. Mr. KYL (for himself, Mr. CORKER, Mr. SESSIONS, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4637. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4638. Mr. KYL (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4639. Mr. CORNYN (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4640. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4641. Mr. CORKER (for himself and Mr. KYL) submitted an amendment intended to be proposed to amendment SA 4636 submitted by Mr. KYL (for himself, Mr. CORKER, Mr. SESSIONS, and Mr. INHOFE) and intended to be proposed to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4642. Mrs. LINCOLN (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4643. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4644. Mrs. LINCOLN (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4645. Mrs. LINCOLN (for herself and Mr. RISCH) submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4646. Mrs. LINCOLN (for herself and Mr. RISCH) submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4647. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4648. Mrs. LINCOLN submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4649. Mrs. LINCOLN (for herself and Mr. RISCH) submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4650. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4651. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4652. Mr. BEGICH (for himself and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill S. 3454, supra; which was ordered to lie on the table.

SA 4653. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 946, to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4626. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

(a) **ESTABLISHMENT.**—Subtitle B of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l et seq.) is amended by adding at the end the following:

“SEC. 3632. ADVISORY BOARD ON TOXIC SUBSTANCES AND WORKER HEALTH.

“(a) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this section, the President shall establish and appoint an Advisory Board on Toxic Substances and Worker Health (referred to in this section as the ‘Board’).

“(2) **CONSULTATION ON APPOINTMENTS.**—In appointing members to the Board under paragraph (1), the President shall consult with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a proper balance among perspectives from the scientific, medical, legal, workers, and worker advocate communities.

“(3) **CHAIRPERSON.**—The President shall designate a chairperson of the Board from among its members.

“(b) **DUTIES.**—The Board shall—

“(1) provide advice to the President concerning the review and approval of the Department of Labor site exposure matrix;

“(2) conduct periodic peer reviews of, and approve, medical guidance for part E claims examiners with respect to the weighing of a claimant’s medical evidence;

“(3) obtain periodic expert reviews of medical evidentiary requirements for part B claims related to lung diseases;

“(4) provide oversight over consulting physicians and reports to ensure quality, objectivity, and consistency of the consultant physicians’ work; and

“(5) coordinate where applicable exchanges of data and findings with the Advisory Board on Radiation and Worker Health (under section 3624).

“(c) **STAFF AND POWERS.**—

“(1) **IN GENERAL.**—The President shall appoint a staff to facilitate the work of the Board. The staff of the Board shall be headed by a Director who shall be appointed under subchapter VIII of chapter 33 of title 5, United States Code.

“(2) **FEDERAL AGENCY PERSONNEL.**—The President may authorize the detail of employees of Federal agencies to the Board as necessary to enable the Board to carry out its duties under this section. The detail of such personnel may be on a non-reimbursable basis.

“(3) **POWERS.**—The Board shall have same powers that the Advisory Board has under section 3624.

“(d) **EXPENSES.**—The members of the Board, other than full-time employees of the United States, while attending meetings of the Board or while otherwise serving at the request of the President, and while serving away from their homes or regular place of

business, shall be allowed travel and meal expenses, including per diem in lieu of subsistence (as authorized by section 5703 of title 5, United States Code) for individuals in the Federal Government serving without pay.

“(e) **SECURITY CLEARANCES.**—

“(1) **REQUIREMENT.**—The Secretary of Energy shall ensure that the members and staff of the Board, and the contractors performing work in support of the Board, are afforded the opportunity to apply for a security clearance for any matter for which such a clearance is appropriate. The Secretary should, not later than 180 days after receiving a completed application for such a clearance, make a determination whether or not the individual concerned is eligible for the clearance.

“(2) **BUDGET JUSTIFICATION.**—For fiscal year 2011, and each fiscal year thereafter, the Secretary of Energy shall include in the budget justification materials submitted to Congress in support of the Department of Energy budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report specifying the number of applications for security clearances under this subsection, the number of such applications granted, and the number of such applications denied.

“(f) **INFORMATION.**—The Secretary of Energy shall, in accordance with law, provide to the Board and the contractors of the Board, access to any information that the Board considers relevant to carry out its responsibilities under this section, including information such as restricted data (as defined in section 2014(y)) and information covered by the Privacy Act.”.

(b) **DEPARTMENT OF LABOR RESPONSE TO THE OFFICE OF THE OMBUDSMAN ANNUAL REPORT.**—Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s-15) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g), the following:

“(h) **RESPONSE TO REPORT.**—Not later than 90 days after the publication of the annual report under subsection (e), the Department of Labor shall submit an answer in writing on whether the Department agrees or disagrees with the specific issues raised by the Ombudsman, if the Department agrees, on the actions to be taken to correct the problems identified by the Ombudsman, and if the Department does not agree, on the reasons therefore. The Department of Labor shall post such answer on the public Internet website of the Department.”.

SA 4627. Mrs. MURRAY (for herself, Mr. BROWNBAC, Ms. CANTWELL, and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 858. CONSIDERATION OF UNFAIR COMPETITIVE ADVANTAGE IN EVALUATION OF OFFERS FOR KC-X AERIAL REFUELING AIRCRAFT PROGRAM.

(a) **REQUIREMENT TO CONSIDER UNFAIR COMPETITIVE ADVANTAGE.**—In awarding a contract for the KC-X aerial refueling aircraft