

than two percent of the world's rice supply, feeding millions around the world;

Whereas rice is a food enjoyed throughout life in many forms, as the foundation of main dishes and side dishes, and as cereals, flour, bran, cooking oil, rice cakes, and other healthful snacks;

Whereas rice is an important source of nutritional value, as rice provides an excellent source of complex carbohydrates, and is cholesterol-free, sodium-free, and trans fat-free;

Whereas published research shows that people who eat rice have healthier diets;

Whereas rice farmers in the United States play a key role in the provision and enhancement of habitat for wetlands-dependant wild-life species, such as ducks, geese, swans, and cranes; and

Whereas the harvest of rice in the United States is celebrated each September and September 2010 marks the 20th anniversary of that annual celebration's designation: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 20th anniversary of the designation of the month of September of 1991 as "National Rice Month"; and

(2) encourages the people of the United States to observe National Rice Month with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4659. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3816, to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas; which was ordered to lie on the table.

SA 4660. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3816, *supra*; which was ordered to lie on the table.

SA 4661. Mr. DURBIN (for Mr. LIEBERMAN) proposed an amendment to the bill H.R. 553, to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes.

SA 4662. Mr. WYDEN (for himself, Mrs. MURRAY, and Mr. MERKLEY) 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 4663. Mr. CASEY (for Mr. AKAKA (for himself and Mr. VOINOVICH)) proposed an amendment 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.

SA 4664. Mr. CASEY (for Mr. LIEBERMAN) proposed an amendment to the bill S. 1510, to transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes.

SA 4665. Mr. CASEY (for Mrs. FEINSTEIN (for herself and Mr. BOND)) proposed an amendment to the bill H.R. 2701, to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central

Intelligence Agency Retirement and Disability System, and for other purposes.

SA 4666. Mr. CASEY (for Ms. MURKOWSKI) proposed an amendment to the bill S. 3802, to designate a mountain and icefield in the State of Alaska as the "Mount Stevens" and "Ted Stevens Icefield", respectively.

TEXT OF AMENDMENTS

SA 4659. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 3816, to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—VISA REFORM

SEC. 301. SHORT TITLE.

This title may be cited as the "H-1B and L-1 Visa Reform Act of 2010".

Subtitle A—H-1B Visa Fraud and Abuse Protections

PART I—H-1B EMPLOYER APPLICATION REQUIREMENTS

SEC. 311. MODIFICATION OF APPLICATION REQUIREMENTS.

(a) GENERAL APPLICATION REQUIREMENTS.—Subparagraph (A) of section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)) is amended to read as follows:

"(A) The employer—

"(i) is offering and will offer to H-1B nonimmigrants, during the period of authorized employment for each H-1B nonimmigrant, wages that are determined based on the best information available at the time the application is filed and which are not less than the highest of—

"(I) the locally determined prevailing wage level for the occupational classification in the area of employment;

"(II) the median average wage for all workers in the occupational classification in the area of employment; and

"(III) the median wage for skill level 2 in the occupational classification found in the most recent Occupational Employment Statistics survey; and

"(ii) will provide working conditions for such H-1B nonimmigrant that will not adversely affect the working conditions of other workers similarly employed."

(b) INTERNET POSTING REQUIREMENT.—Subparagraph (C) of such section 212(n)(1) is amended—

(1) by redesignating clause (ii) as subclause (II);

(2) by striking "(i) has provided" and inserting the following:

"(ii)(I) has provided"; and

(3) by inserting before clause (ii), as redesignated by paragraph (2) of this subsection, the following:

"(i) has posted on the Internet website described in paragraph (3), for at least 30 calendar days, a detailed description of each position for which a nonimmigrant is sought that includes a description of—

"(I) the wages and other terms and conditions of employment;

"(II) the minimum education, training, experience, and other requirements for the position; and

"(III) the process for applying for the position; and"

(c) WAGE DETERMINATION INFORMATION.—Subparagraph (D) of such section 212(n)(1) is amended by inserting "the wage determination methodology used under subparagraph (A)(i)," after "shall contain".

(d) APPLICATION OF REQUIREMENTS TO ALL EMPLOYERS.—

(1) NONDISPLACEMENT.—Subparagraph (E) of such section 212(n)(1) is amended—

(A) in clause (i)—

(i) by striking "90 days" both places it appears and inserting "180 days"; and

(ii) by striking "(i) In the case of an application described in clause (ii), the" and inserting "The"; and

(B) by striking clause (ii).

(2) RECRUITMENT.—Subparagraph (G)(i) of such section 212(n)(1) is amended by striking "In the case of an application described in subparagraph (E)(ii), subject" and inserting "Subject".

(e) REQUIREMENT FOR WAIVER.—Subparagraph (F) of such section 212(n)(1) is amended to read as follows:

"(F) The employer shall not place, outsource, lease, or otherwise contract for the services or placement of H-1B nonimmigrants with another employer unless the employer of the alien has been granted a waiver under paragraph (2)(E)."

SEC. 312. NEW APPLICATION REQUIREMENTS.

Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)) is amended by inserting after clause (ii) of subparagraph (G) the following:

"(H)(i) The employer has not advertised any available position specified in the application in an advertisement that states or indicates that—

"(I) such position is only available to an individual who is or will be an H-1B nonimmigrant; or

"(II) an individual who is or will be an H-1B nonimmigrant shall receive priority or a preference in the hiring process for such position.

"(ii) The employer has not solely recruited individuals who are or who will be H-1B nonimmigrants to fill such position.

"(I) If the employer employs 50 or more employees in the United States, the sum of the number of such employees who are H-1B nonimmigrants plus the number of such employees who are nonimmigrants described in section 101(a)(15)(L) may not exceed 50 percent of the total number of employees.

"(J) If the employer, in such previous period as the Secretary shall specify, employed 1 or more H-1B nonimmigrants, the employer shall submit to the Secretary the Internal Revenue Service Form W-2 Wage and Tax Statement filed by the employer with respect to the H-1B nonimmigrants for such period."

SEC. 313. APPLICATION REVIEW REQUIREMENTS.

(a) TECHNICAL AMENDMENT.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)), as amended by section 102, is further amended in the undesignated paragraph at the end, by striking "The employer" and inserting the following:

"(K) The employer."

(b) APPLICATION REVIEW REQUIREMENTS.—Subparagraph (K) of such section 212(n)(1), as designated by subsection (a), is amended—

(1) by inserting "and through the Department of Labor's website, without charge." after "D.C.";

(2) by striking "only for completeness" and inserting "for completeness and clear indicators of fraud or misrepresentation of material fact,";

(3) by striking "or obviously inaccurate" and inserting "presents clear indicators of fraud or misrepresentation of material fact, or is obviously inaccurate";

(4) by striking "within 7 days of" and inserting "not later than 14 days after"; and

(5) by adding at the end the following: "If the Secretary's review of an application identifies clear indicators of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing in accordance with paragraph (2)."