

celebration and recognize the public servants in their states.

**SENATE RESOLUTION 129—HONORING THE 29 COAL MINERS WHO PERISHED IN THE EXPLOSION AT THE UPPER BIG BRANCH MINE IN MONTCOAL, WEST VIRGINIA, ON APRIL 5, 2010, AND REMEMBERING ALL THOSE WHO HAVE LOST THEIR LIVES WHILE MINING FOR THE RESOURCES ON WHICH THE UNITED STATES RELIES**

Mr. ROCKFELLER (for himself, Mr. MANCHIN, Mr. HARKIN, Mr. ENZI, Mrs. MURRAY, and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 129

Whereas West Virginia coal miners and their predecessors not only have a strong commitment to providing a good living for their families, but also take a deep and patriotic pride in the fact that their work and the energy they produce has made the United States strong and free;

Whereas coal mining has been, and remains, an important part of the economy of the United States;

Whereas coal accounts for nearly ½ of the electricity produced in the United States;

Whereas coal has been commercially mined in what is now the State of West Virginia since 1810;

Whereas since 1810, West Virginia miners and their families have sacrificed greatly to mine the coal that powers the economy of the United States;

Whereas on April 5, 2010, 29 heroic and patriotic West Virginia miners tragically lost their lives in an explosion at the Upper Big Branch Mine in Montcoal, West Virginia;

Whereas a search and rescue effort was launched immediately following the explosion that involved dozens of courageous volunteers, first responders, and mine rescue teams who fearlessly risked their lives to rescue survivors and find lost miners;

Whereas Carl “Pee Wee” Acord, Jason Matthew Atkins, Christopher Lee Bell, Sr., Gregory Steven Brock, Kenneth A. Chapman, Sr., Robert Eugene Clark, Cory Davis, Charles Timothy Davis, Michael Lee Elswick, William Ildon Griffith, Steven J. “Smiley” Harrah, Edward “Dean” Jones, Richard Keith Lane, William Roosevelt Lynch, Joe Marcum, Ronald Lee Maynor, Nicolas D. McCroskey, James “Eddie” Moonney, Adam K. Morgan, Rex Lane Mullins, Joshua Scott Napper, Howard “Boone” Payne, Jr., Dillard Earl “Dewey” Persinger, Joel R. “Jody” Price, Gary Wayne Quarles, Deward Allan Scott, Grover Dale Skeens, Benny Ray Willingham, and Ricky L. Workman perished in the explosion at the Upper Big Branch Mine;

Whereas the terrible tragedy broke the hearts of the people of the United States;

Whereas since the beginning of 2010, 77 miners of coal and other resources have lost their lives on the job, and thousands more have been injured or diagnosed with occupational illnesses, such as Black Lung disease;

Whereas the families of the deceased continue to suffer, as do those miners who have become seriously injured or ill; and

Whereas Congress has long recognized the need to protect the safety and health of miners: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the coal miners who lost their lives in the explosion at the Upper Big

Branch Mine in Montcoal, West Virginia, on April 5, 2010;

(2) extends its continued heartfelt condolences to the families of the deceased, who are still looking for answers to the tragedy;

(3) recognizes the hardships faced by survivors of the tragedy and fellow miners who worked side-by-side with the deceased;

(4) acknowledges the risks faced by all miners, as well as the important and often over-looked contributions that miners make to the United States;

(5) expresses its appreciation for the volunteers, first responders, and mine rescue teams who fearlessly risk their lives to save miners after tragedies; and

(6) reaffirms its commitment to keep miners safe and healthy on the job.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 283. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 284. Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 4, to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

**SA 283.** Mr. McCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

**SEC. 504. ELIMINATION OF DUPLICATIVE SECURITY ASSESSMENTS.**

Notwithstanding any other provision of law, the Transportation Security Administration is not authorized to conduct security assessments of motor carriers that are—

(1) registered under subpart G of part 107 of title 49, Code of Federal Regulations; and

(2) subject to security contact reviews conducted by the Federal Motor Carrier Safety Administration.

**SA 284.** Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed by him to the bill H.R. 4, to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, after line 3, insert the following:

(c) **STUDY OF THE EFFECTS ON SMALL BUSINESSES OF INCREASES IN THE AMOUNTS OF HEALTH CARE CREDIT OVERPAYMENTS REQUIRED TO BE RECAPTURED.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services shall conduct a study to determine if the amendments made by this section—

(A) will result in an increase in health insurance premiums within the Exchanges created by the Patient Protection and Affordable Care Act for employees or owners of small businesses; or

(B) will result in an increase in the number of individuals who do not have health insur-

ance coverage, a disproportionate share of which are employees and owners of small businesses.

(2) **EFFECT OF INCREASES.**—If the Secretary determines under paragraph (1) that there will be an increase described in subparagraph (A) or (B), or both, then, notwithstanding subsection (b), the amendments made by this section shall not apply to taxable years ending after the date of such determination and the Internal Revenue Code of 1986 shall be applied and administered to such taxable years as if such amendments had never been enacted.

**NOTICES OF INTENT TO SUSPEND THE RULES**

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 217 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 220 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 222 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 273 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 274 on S. 493.

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 279 on S. 493.

**NOTICE OF HEARING**

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 7, 2011, at 2:15 p.m. in Room

628 of the Dirksen Senate Office Building to conduct a hearing on S. 675, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; S. 676, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; and S. 703, a bill to amend the Long-Term Leasing Act, and for other purposes, to be followed immediately by an oversight hearing entitled "Promise Fulfilled: The Role of the SBA 8(a) Program in Enhancing Economic Development in Indian Country."

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

ORDERS FOR TUESDAY, APRIL 5, 2011

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 5; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority the final half; that following morning business, the Senate proceed to consideration of H.R. 4, 1099 repeal, under the previous order; further, that the Senate stand in recess from 12:30 to 2:15 to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWN of Ohio. Mr. President, Senators should expect two rollcall

votes at approximately 12 noon in relation to 1099 repeal. We are working to reach an agreement on the small business bill. Senators will be notified when additional votes are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:22 p.m., adjourned until Tuesday, April 5, 2011, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 4, 2011:

THE JUDICIARY

JIMMIE V. REYNA, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.