S. 443

At the request of Mr. LEAHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 443, a bill to increase public safety by punishing and deterring firearms trafficking.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. RES. 60

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the names of the Senator from Delaware (Mr. COONS), the Senator from Wyoming (Mr. BARRASSO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Ms. WARREN, and Mr. BROWN):

S. 468. A bill to protect the health care and pension benefits of our nation's miners; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, in West Virginia, we revere our miners—the men and women who put their lives on the line every single day to provide for their families and bring light and heat to millions. Their grit, their courage and their determination are inspirational to each of us. The work they do every day provides nearly half of our Nation with power and it helps underpin the economy of the State we call home.

For their hard work in these grueling jobs mineworkers receive promised pensions and lifetime health benefits. Health care for all retirees is important. But, in many cases, it is even more so for retired miners, who have stared the possibility of injury or illness in the face every day. Unfortunately, today there are looming threats to the pensions of more than 100,000 mineworkers and to the healthcare benefits of nearly 12,000 miners and their dependents.

The miners' pension fund is on the road to insolvency. It has been hit by the perfect storm—the recent financial crisis, the smaller number of active mineworkers who provide the funding base for the pension plan, and the large number of ''orphans'' who receive their pensions under the plan. These ''orphans'' are retired mineworkers for whom a company no longer makes contributions to the pension fund, typically because the company is out of business.

Additionally, the bankruptcy of one coal company is threatening the health benefits of nearly 12,000 miners and their dependents, the vast majority of whom never worked for the company that is actually going bankrupt. So despite the fact that they were promised lifetime healthcare benefits by their employers when they gave their lives to this industry doing the hardest work imaginable under that sacred pledge they are now losing those benefits because a company they never worked for is going bankrupt. That is unfair and unjust.

That is why today I am introducing the Coalfield Accountability and Retired Employee Act. This legislation protects pensions for more than 100,000 mineworkers by taking excess funds from the Abandoned Mine Land Reclamation Program and transferring that money to the miners' 1974 pension plan. The Coalfield Accountability and Retired Employee Act also would protect retiree health benefits by making any retiree who loses benefits following the bankruptcy or insolvency of his or her employer eligible for the health benefits provided by the COAL Act. And, importantly this legislation would hold employers accountable for the commitments they make to their workers. That is just basic fairness.

Supporting our Nation's miners is not a new issue for our country and it is not a new fight of mine. Dating back to President Harry Truman, the Federal Government has assumed a responsibility to our mineworkers. In 1992, I was deeply proud to work on the passage of the COAL Act, through which we recommitted to our miners that a promise made would be a promise kept. That bill allowed the transfer of interest accruing to the unappropriated balance of the Abandoned Mine Reclamation Fund to be used to provide health care for a large number of orphaned miners and their widows. This helped avert a nationwide coal strike and it preserved health benefits for 200,000 retired miners and their widows. This Federal commitment was renewed in the 2006 amendments to the Abandoned Mine Reclamation Program that again protected the healthcare plans of miners from insolvency.

Now, 20 years after passing the COAL Act, I am again renewing my commitment to the hardest working people I have ever known with the Coalfield Accountability and Retired Employee Act. We must preserve the solvency of our miners' pension plans and protect the healthcare benefits they need, earned and were rightfully promised. This is about human decency, it is about doing what is right, and it is about having the backs of those who have ours deep underground.

By Mr. HARKIN (for himself and Mr. BLUNT):

S. 475. A bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 475

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Eunice Kennedy Shriver Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—REAUTHORIZATION OF SPECIAL OLYMPICS ACT

SEC. 101. REAUTHORIZATION.

Sections 2 through 5 of the Special Olympics Sport and Empowerment Act of 2004 (42 U.S.C. 15001 note) are amended to read as follows:

''SEC. 2. FINDINGS AND PURPOSE.

''(a) FINDINGS.—Congress finds the following:

''(1) Special Olympics creates the possibilities of a world where everybody matters, everybody counts, and every person contributes.

''(2) The Government and the people of the United States recognize the dignity and value the giftedness of children and adults with intellectual disabilities.

''(3) The Government and the people of the United States recognize that children and adults with intellectual disabilities experience significant health disparities, including lack of access to primary care services and difficulties in accessing community-based prevention and treatment programs for chronic diseases.

''(4) The Government and the people of the United States are determined to end the isolation and stigmatization of people with intellectual disabilities, and to ensure that such people are assured of equal opportunities for community participation, access to appropriate health care, and inclusive education, and to experience life in a nondiscriminatory manner.

''(5) For more than 40 years, Special Olympics has encouraged skill development, sharing, courage, and confidence through yearround sports training and athletic competition for children and adults with intellectual disabilities.

''(6) Special Olympics provides year-round sports training and competitive opportunities to more than 4,200,000 athletes with intellectual disabilities in 30 individual and team sports and plans to expand the benefits of participation through sport to more than a million additional people with intellectual disabilities within the United States and worldwide over the next 5 years.

''(7) Research shows that participation in activities involving both people with intellectual disabilities and people without disabilities results in more positive support for inclusion in society, including in schools.

''(8) Special Olympics has demonstrated its ability to provide a major positive effect on the quality of life of people with intellectual disabilities, improving their health and physical well-being, building their confidence and self-esteem, and giving them a voice to become active and productive members of their communities. In the United States, for example, adults with intellectual disabilities who have participated in Special Olympics have a 100 percent greater chance of being employed than adults with intellectual disabilities who have not.

''(9) In society as a whole, Special Olympics has become a vehicle and platform for reducing prejudice, improving public health, promoting inclusion efforts in schools and communities, and encouraging society to value the contributions of all members.

''(10) The Government of the United States enthusiastically supports the Special Olympics movement, recognizes its importance in improving the lives of people with intellectual disabilities and their families, and recognizes Special Olympics as a valued and important component of the global community.

''(b) PURPOSE.—The purposes of this Act are to—

''(1) provide support to Special Olympics to increase athlete participation in, and public awareness about, the Special Olympics movement, including efforts to promote broader community inclusion;

''(2) dispel negative stereotypes and establish positive attitudes about people with intellectual disabilities;

''(3) build community engagement through sports and related activities; and

''(4) promote the extraordinary gifts and contributions of people with intellectual disabilities.

''SEC. 3. ASSISTANCE FOR SPECIAL OLYMPICS.

''(a) EDUCATION ACTIVITIES.—The Secretary of Education may award grants to, or enter into contracts or cooperative agreements with, Special Olympics to carry out each of the following:

''(1) Activities to promote the expansion of Special Olympics, including activities to increase the full participation of people with intellectual disabilities in athletics, sports and recreation, and other inclusive school and community activities with people without disabilities.

''(2) The design and implementation of Special Olympics education programs, including character education and volunteer programs that support the purposes of this Act, that can be integrated into classroom instruction and community settings, and are consistent with academic content standards.

''(b) INTERNATIONAL ACTIVITIES.—The Secretary of State, acting through the Assistant Secretary of State for Educational and Cultural Affairs, may award grants to, or enter into contracts or cooperative agreements with, Special Olympics to carry out each of the following:

''(1) Activities to increase the participation of people with intellectual disabilities in Special Olympics outside of the United States.

''(2) Activities to improve the awareness outside of the United States of the abilities of people with intellectual disabilities and the unique contributions that people with intellectual disabilities can make to society, and to promote active support for sports programs for people with intellectual disabilities.

''(c) HEALTHY ATHLETES.—

''(1) IN GENERAL.—The Secretary of Health and Human Services may award grants to, or enter into contracts or cooperative agreements with, Special Olympics for the implementation of on-site health assessments, screening for health problems, health education, community-based prevention, data collection, and referrals to direct health care services.

''(2) COORDINATION.—Activities under paragraph (1) shall be coordinated with appropriate health care entities, including private health care providers, entities carrying out local, State, Federal, or international programs, and the Department of Health and Human Services, as applicable.

''(d) LIMITATION.—Amounts appropriated to carry out this section shall not be used for direct treatment of diseases, medical conditions, or mental health conditions. Nothing in the preceding sentence shall be construed to limit the use of non-Federal funds by Special Olympics.

''SEC. 4. APPLICATION AND ANNUAL REPORT.

''(a) APPLICATION.—

''(1) IN GENERAL.—To be eligible for a grant, contract, or cooperative agreement under subsection (a), (b), or (c) of section 3, Special Olympics shall submit an application at such time, in such manner, and containing such information as the Secretary of Education, Secretary of State, or Secretary of Health and Human Services, as applicable, may require.

''(2) CONTENT.—At a minimum, an application under this subsection shall contain each of the following:

''(A) ACTIVITIES.—A description of activities to be carried out with the grant, contract, or cooperative agreement.

''(B) MEASURABLE GOALS.—A description of specific measurable annual benchmarks and long-term goals and objectives to be achieved through specified activities carried out with the grant, contract, or cooperative agreement, which specified activities shall include, at a minimum, each of the following activities:

''(i) Activities to increase the full participation of people with intellectual disabilities in athletics, sports and recreation, and other inclusive school and community activities with people without disabilities.

''(ii) Education programs that dispel negative stereotypes about people with intellectual disabilities.

''(iii) Activities to increase the participation of people with intellectual disabilities in Special Olympics outside of the United States and promote volunteerism on behalf of such activities.

''(iv) Health-related activities as described in section 3(c).

''(b) ANNUAL REPORT.—

''(1) IN GENERAL.—As a condition on receipt of any funds for a program under subsection (a), (b), or (c) of section 3, Special Olympics shall agree to submit an annual report at such time, in such manner, and containing such information as the Secretary of Education, Secretary of State, or Secretary of Health and Human Services, as applicable, may require.

''(2) CONTENT.—At a minimum, each annual report under this subsection shall describe—

''(A) the degree to which progress has been made toward meeting the annual benchmarks and long-term goals and objectives described in the applications submitted under subsection (a); and

''(B) demographic data about Special Olympics participants, including the number of people with intellectual disabilities served in each program referred to in paragraph (1).

''SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated—

''(1) for grants, contracts, or cooperative agreements under section 3(a), $9,500,000 for fiscal year 2014, and such sums as may be necessary for each of the 4 succeeding fiscal years;

''(2) for grants, contracts, or cooperative agreements under section 3(b), $4,500,000 for fiscal year 2014, and such sums as may be necessary for each of the 4 succeeding fiscal years; and

''(3) for grants, contracts, or cooperative agreements under section 3(c), $8,500,000 for fiscal year 2014, and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

TITLE II—BEST BUDDIES

SEC. 201. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Best Buddies operates the first national social and recreational program in the United States for people with intellectual disabilities.

(2) Best Buddies is dedicated to helping people with intellectual disabilities become part of mainstream society.

(3) Best Buddies is determined to end social isolation for people with intellectual disabilities by promoting meaningful friendships between them and their typical peers in order to help increase the self-esteem, confidence, and abilities of people with and without intellectual disabilities.

(4) Since 1989, Best Buddies has enhanced the lives of people with intellectual disabilities by providing opportunities for 1-to-1 friendships and integrated employment.

(5) Best Buddies is an international organization spanning 1,500 middle school, high school, and college campuses.

(6) Best Buddies implements programs that will positively impact more than 700,000 individuals in 2013.

(7) The Best Buddies Middle Schools program matches middle school students with intellectual disabilities with other middle school students and supports 1-to-1 friendships between them.

(8) The Best Buddies High Schools program matches high school students with intellectual disabilities with other high school students and supports 1-to-1 friendships between them.

(9) The Best Buddies Colleges program matches adults with intellectual disabilities with college students and creates 1-to-1 friendships between them.

(10) The Best Buddies e-Buddies program supports e-mail friendships between people with and without intellectual disabilities.

(11) The Best Buddies Citizens program pairs adults with intellectual disabilities in 1-to-1 friendships with other people in the corporate and civic communities.

(12) The Best Buddies Jobs program promotes the integration of people with intellectual disabilities into the community through supported employment.

(13) The Best Buddies Ambassadors program educates and empowers people with intellectual disabilities to be leaders and public speakers in their schools, communities, and workplaces. Best Buddies Ambassadors prepares people with intellectual disabilities to become active agents of change.

(14) Best Buddies Promoters empowers youth to become advocates for people with intellectual disabilities. Students who take part in Best Buddies Promoters are introduced to the disability rights movement and the importance of inclusion through local awareness events.

(b) PURPOSE.—The purposes of this title are to—

(1) provide support to Best Buddies to increase participation in and public awareness about Best Buddies programs that serve people with intellectual disabilities;

(2) dispel negative stereotypes about people with intellectual disabilities; and

(3) promote the extraordinary contributions of people with intellectual disabilities.

SEC. 202. ASSISTANCE FOR BEST BUDDIES.

(a) EDUCATION ACTIVITIES.—The Secretary of Education may award grants to, or enter into contracts or cooperative agreements with, Best Buddies to carry out activities to promote the expansion of Best Buddies, including activities to increase the participation of people with intellectual disabilities in social relationships and other aspects of community life, including education and employment, within the United States.

(b) LIMITATIONS.—Amounts appropriated to carry out this title may not be used for direct treatment of diseases, medical conditions, or mental health conditions.

(c) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to limit the use of non-Federal funds by Best Buddies.

SEC. 203. APPLICATION AND ANNUAL REPORT.

(a) APPLICATION.—

(1) IN GENERAL.—To be eligible for a grant, contract, or cooperative agreement under section 202(a), Best Buddies shall submit an application at such time, in such manner, and containing such information as the Secretary of Education may require.

(2) CONTENT.—At a minimum, an application under this subsection shall contain the following:

(A) A description of activities to be carried out under the grant, contract, or cooperative agreement.

(B) Information on specific measurable goals and objectives to be achieved through activities carried out under the grant, contract, or cooperative agreement.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—As a condition of receipt of any funds under section 202(a), Best Buddies shall agree to submit an annual report at such time, in such manner, and containing such information as the Secretary of Education may require.

(2) CONTENT.—At a minimum, each annual report under this subsection shall describe the degree to which progress has been made toward meeting the specific measurable goals and objectives described in the applications submitted under subsection (a).

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Education for grants, contracts, or cooperative agreements under section 202(a), $4,000,000 for fiscal year 2014 and such sums as may be necessary for each of the 4 succeeding fiscal years.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 476. A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, today I am proud to reintroduce legislation to support greater public involvement in the administration of one of Maryland's most treasured National Historical Parks. The Chesapeake and Ohio Canal National Historical Park Advisory Commission Act ensures that the communities located along the 184½ mile-long C&O Canal National Historical Park have a voice with the National Park Service regarding decisions affecting the administration of the Park. The Commission keeps the people and small businesses most affected by the operation of the C&O Canal National Historical Park informed and involved in the decisions surrounding the Park. Citizen involvement in the governmental process is a hallmark of our democracy and the C&O Canal National Historical Park Advisory Commission Act exemplifies the goal of ensuring the public's role in government decision making.

The importance of the Commission is intrinsically tied to the uniqueness of the C&O Canal National Historical Park. The Park covers an area of 20,000 acres winding North and West along the Potomac River from the heart of Georgetown's old industrial district in Washington D.C. to Cumberland, MD nestled in the valleys and mountains of Western Maryland. The Park's watered canal, contiguous towpath, popular among cyclists, backpackers, day hikers and runners, hundreds of historic structures and towns like Hancock, Hagerstown, Brunswick, Harpers Ferry, Williamsport and Sharpsburg that grew during the Canal's heyday, all tell the story of how the C&O Canal once served as a crucial East/West commercial link. The Park also preserves pristine views of the Potomac River, evocative of the C&O Canal's working days. At its widest points, the C&O Canal National Historical Park spans less than two-tenths of a mile across and in many areas directly abuts neighboring commercial and residential properties bordering the Park.

During the commercial operation of the C&O Canal, these towns were local commercial centers where area farmers and tradesman utilized the canal boats to deliver their goods to market. Today, the hospitality and tourism industries of these communities thrive upon the C&O Canal National Historical Park's popularity and are integral to enhancing the park user experience. Whether it is a hotel or Bed and Breakfast to spend the night in, a restaurant or diner to grab a meal, stores to shop in and perhaps stock up on camping provisions, boathouses to rent a canoe for the afternoon, bike shops to service a flat tire or make repairs to your bike or any of the myriad of goods and services park visitors may need, the communities along the C&O Canal are as important to the Park user experience as the Park's users are to maintaining their businesses.

In 2009, more than 3.75 million people visited the C&O Canal National Historical Park. To put it in perspective, in 2009, more people visited this historic treasure than the number of people who visited Yellowstone, Yosemite, the Everglades or Shenandoah National Park. Much of the C&O Canal National Historical Park's success is attributable to the positive relationship that has developed over time between the National Park Service and the local community leaders that span the length of the Park. The Park's Commission has greatly facilitated this relationship.

The Commission provides the vital link between the affected communities that the Park runs through and the National Park Service. The Commission ensures that the public is engaged in the numerous processes surrounding operational policy and infrastructure maintenance and restoration projects on the C&O Canal National Historic Park. The Commission plays a vital consultation and planning role for park activities and operations. The cooperation that has developed between the Commission and the National Park Service helps tie the Park to its communities. The Commission serves a purely advisory function and does not have the authority to make binding park policy.

The Commission was first established as part of the 1971 Chesapeake and Ohio Canal Development Act sponsored by Rep. Gilbert Gude, R–MD. Every ten years, a bill like mine comes before Congress, when the 10-year extension of the Commission's authorization expires. Three times over a 40-year period extension bills have passed by unanimous consent and without controversy. My bill is another 10-year extension of the Advisory Commission's authorization and makes no changes to the Commission's authority. Legislative precedent has never set an authorization amount for the Commission, but the Commission has always functioned at a nominal cost.

The General Services Administration's Federal Advisory Commissions Act database determined that the C&O Canal Advisory Commission's expenses totaled $33,199 for fiscal year 2010. All expenses came out of the National Park Service's general operating budget. Expenses covered the cost of travel for commission members, $295, Federal staff time, $28,074, and miscellaneous expenses, $4,830, like meeting space, printing, supplies and website maintenance.

The National Park System is a showcase of America's natural and historical treasures. So much of the National Park System's success is rooted in the citizen stewardship projects and the involvement of caring citizens and community leaders. Like so many of our National Parks the C&O Canal National Historical Park has an extensive backlog of maintenance and repair projects. The Commission plays a critical role in helping keep these projects moving forward and assisting the National Park Service with their completion because there is recognition of the shared responsibility between the Park Service and the Commission about the importance of continuing to make the Park a desirable tourism and outdoor recreation destination. The Commission provides that bridge between the government and public. I urge my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK COMMISSION.

Section 6(g) of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y–4(g)) is amended by striking ''40'' and inserting ''50''.

By Mrs. FEINSTEIN:

S. 477. A bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988; to the Committee on Indian Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce the Tribal Gaming Eligibility Act.

This bill sets forth what I believe is a very reasonable, moderate standard for where tribes are allowed to open gaming establishments.

The standard is simple: a tribe must demonstrate that it has a modern and an aboriginal connection to the land before it can open a gaming establishment on it.

The new standard is needed because too many tribes in California and across the nation are ''reservation shopping''. They look for a profitable casino location, and then seek to put that land in trust regardless of their historical ties to the area.

To be clear, most tribes do not fit this mold. Most play by the rules and acquire land in appropriate locations.

But as wealthy Las Vegas casino interests search for ways to expand their gaming syndicates, the problem is getting worse. These syndicates have no interest in preserving native cultures and they have little interest in pursuing other forms of economic development; so they also have little interest in limiting casinos to bone fide historical tribal lands.

The tragic part is that these casinos are going up despite objections from communities and other Native American tribes. That is why I am introducing the Tribal Gaming Eligibility Act.

This legislation addresses the problems that arise from off reservation casinos by requiring that tribes meet two simple conditions before taking land into trust for gaming:

First the tribe must demonstrate a ''substantial direct modern connection to the land.''

Second, the tribe must demonstrate a ''substantial direct aboriginal connection to the land.''

Simply put, tribes must show that both they, and their ancestors, have a connection to the land in question.

California voters thought they settled the question of reservation shopping in 2000 when Proposition 1A authorized the Governor to negotiate gambling compacts with tribes, provided that gaming only occurred ''on Indian lands.''

The words ''on Indian lands'' were critical. This made clear that gaming is appropriate only on a tribe's historical lands, and voters endorsed this bargain with 65 percent of the vote.

But fast-forward 12 years and this agreement is being put to the test. More than 100 new Las Vegas style casinos have opened in the State in the last 12 years.

Unfortunately things aren't slowing down; the Department of the Interior has approved three extremely controversial new casinos just last year, some nowhere near the tribe's aboriginal territory or current reservation.

When given the opportunity voters have rejected the idea of reservation shopping. Two years ago in Richmond, CA, a tribe proposed taking land into trust at Point Molate to open a 4,000-slot-machine mega-casino. Proponents touted it as a major economic engine for a depressed area.

But the voters of Richmond knew the reality was far different. The project threatened to burden state and local government services, and it threatened to irreparably change the character of the community.

So Richmond voters made it clear how they felt by overwhelmingly rejecting the advisory measure by a margin of 58 to 42. Voters also elected two new city council members who strongly opposed the casino. It was an unambiguous rejection of this reservation shopping proposal.

Fortunately the Department of the Interior rejected the misguided Point Molate proposal. But voters in Yuba County were not so lucky.

In 2005, Yuba County voters had an opportunity to weigh in on a casino in this mostly rural and suburban Northern California community. By a margin of 52–48, voters rejected the proposal. Many cited concerns about crime as a reason they opposed the project.

But after the dust settled, the Department of the Interior decided to move forward with the project anyway. Despite the fact that voters rejected it and only one of the 21 public officials in the area polled on the issue expressed support for the project.

Moreover, the Department's claim that even one local official supported the project is dubious. The so-called support is based on a Memorandum of Understanding the County entered into prior to the advisory election. The county never offered a letter of support when consulted and still has not to this day.

As a former mayor, I know the financial pressures that local governments face, especially in these tough times. The temptation to support large casinos, with the promises of hundreds of construction jobs, can be strong.

But I also know the heavy price that society pays for the siren song of gambling. This price includes addiction and crime, strained public services and increased traffic congestion.

Some Indian gaming proponents and their out of state gaming syndicate backers would have us believe that these off-reservation gaming establishments are a sign of growth and economic development.

But a 2006 report, titled Gambling in the Golden State, paints a different picture. The report compiled a comprehensive body of research on the effects of casinos on their surrounding communities. The results were staggering.

New casinos are associated with a 10 percent increase in violent crime and a 10 percent increase in bankruptcy rates.

New casinos are also associated with an increase in law enforcement expenditures of $15.34 per resident.

California spends an estimated $1 billion to deal with problem-gamblers and pathological-gamblers, 75 percent of which identify Indian casinos as their primary gambling preference.

The report confirms what many local elected officials and community activists already know: casinos come at a tremendous cost.

Some have tried to mischaracterize my legislation. They have said it limits the sovereignty of tribes or it destroys the ability to undertake economic development.

But I am here today to say that nothing could be farther from the truth.

The bill preserves the right of tribes to acquire trust land in any location, provided they secure the approval of the Governor and meet the strict two-part determination standards.

The bill puts no limits on where a tribe can acquire land for any purpose other than gaming.

Because the fact of the matter is that most casinos are appropriately placed, on historical tribal lands, and there is no need to argue about the legitimacy of these establishments.

My legislation only deals with those proposals that are truly beyond the scope of Congressional intent when the Indian Gaming Regulatory Act was passed in 1988.

I look forward to working with my colleagues on this important issue.

By Mr. GRASSLEY (for himself, Mr. CHAMBLISS, and Mr. ROBERTS):

S. 478. A bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, back in 2003, the Government Accountability Office, the investigative arm of Congress, issued a report that revealed that suspected terrorists could stay in the country after their visas had been revoked on grounds of terrorism because of a legal loophole in the wording of revocation papers. The GAO shed light on a serious problem in our visa policies that posed a threat to our national security. The GAO found that many individuals were granted visas, but later, the FBI and intelligence community suspected ties of terrorism. The FBI didn't share the derogatory information with our consular officers in

time. Consular officers had one tool at their disposal, and that was to revoke the visas. But, many of the individuals had made it to the United States.

What the GAO found was that even though the visas were revoked, immigration officials couldn't do a thing about it because the revocation didn't go into effect until after the alien departed. They were handicapped from locating the visa holders and deporting them. Today, our immigration agents may not be able to locate the individual even if they could deport them.

The GAO report opened our eyes and showed us how revocations were not being used effectively, and how terrorists could exploit a loophole to stay in the country. Since the GAO report was issued, I have attempted to plug this hole in the system. Today I am reintroducing a bill to give the Department of Homeland Security a critical tool that allows the Secretary to issue revocations and remove aliens from the United States without the hurdles they currently face.

Let me elaborate. Under current law, visas approved or denied by consular officers abroad are non-reviewable. We give our consular officers great latitude to protect the country and make a determination if an applicant is eligible for admission into the United States. This is known as consular nonreviewability. In 1950, the U.S. Supreme Court, in Knauff v. Shaughnessy, 338 U.S. 537, determined that ''it is not within the province of any court, unless expressly authorized by law, to review the determination of the political branch of the Government to exclude a given alien.''

Justice Minton, in his decision, stated, ''At the outset we wish to point out that an alien who seeks admission to this country may not do so under any claim of right. Admission of aliens to the United States is a privilege granted by the sovereign United States Government. Such privilege is granted to an alien only upon such terms as the United States shall prescribe. It must be exercised in accordance with the procedure which the United States provides.''

The doctrine of non-reviewability is a long-standing one that allows the Department of State to keep foreign nationals from entering the United States. But, the doctrine should be applied in instances when a person is granted a visa, enters in the country, and the Government subsequently revokes that visa.

There are some national security implications at stake. The ability to deport an alien on U.S. soil with a revoked visa is nearly impossible today if the alien is given the opportunity to appeal the revocation. So, in effect, the State Department doesn't use their authority to revoke. In fact, I am told they aren't doing it at all when the alien, even a potential terrorist, is in the country. They need a change so that foreign nationals are not able to freely roam our communities when they shouldn't be here in the first place.

Secretary Chertoff, former Secretary of the Department of Homeland Security agreed that the policy needed to be changed. When Secretary, he said,

> The fact is that we can prevent someone who's coming in as a guest. We can say, ''You can't come in overseas,'' but once they come in, if they abuse their terms and conditions of their coming in, we have to go through a cumbersome process. That strikes me as not particularly sensible. People who are admitted as guests like guests in my house—if the guest misbehaves, I just tell them to leave; they don't get to go to court over it.

What's more, allowing judicial review of revoked visas, especially on terrorism grounds, could jeopardize the classified intelligence that led to the revocation. It can force agencies such as the FBI and CIA to be hesitant to share information. Why would our intelligence community share information with the State Department if they knew State wouldn't revoke a visa when the alien is in the U.S.? Current law could be reversing our progress on information sharing. Intelligence officials need to share information with immigration and consular officers to prevent terrorists from entering the United States and to impede their mobility.

My bill would give the U.S. Government the ability to expedite the deportation of suspected terrorists by applying the same ''non-reviewability'' standard for revocation decisions. It would treat revocations similar to visa denials. My bill gives the Federal Government the ability to deport an alien who has already entered the United States but shouldn't have ever been granted a visa.

Terrorists took advantage of our system before 9/11. We can't let that happen again. We should not allow potential terrorists and others who act counter to our laws to remain on U.S. soil and run to the courts and seek relief from deportation. We need to ensure that the government has all the tools at its disposal to keep the homeland safe.

I urge my colleagues to support my bill.

By Mr. GRASSLEY (for himself, Mr. NELSON, Mr. PORTMAN, and Mr. PRYOR):

S. 479. A bill to amend the Internal Revenue Code of 1986 to clarify the employment tax treatment and reporting of wages paid by professional employer organizations, and for other purposes; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, today I am reintroducing the Small Business Efficiency Act with my colleagues Senators NELSON, PORTMAN, and PRYOR. Many small businesses rely on Professional Employer Organization, PEOs, and to handle many of their human resources responsibilities. The Small Business Efficiency Act will provide an important layer of certainty and protection for small business owners and their workers by eliminating any ambiguity about a certified PEOs ability to assume employment tax responsibility. It further implements safeguards for the certified PEOs small business clients. This will give small businesses peace of mind that their human resources and employment tax responsibilities are taken care of so they can focus on their core business and create more jobs.

I urge my colleagues to support this common sense legislation.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. LAUTENBERG, Mr. SANDERS, and Mr. TESTER):

S. 482. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, we have made great strides in improving the accountability of health insurance companies and protecting consumers from egregious practices. However, despite the progress we have made, many States still lack the ability to regulate excessive health insurance rate increases.

Health insurance premiums in the individual and small group market continue to grow beyond the rate of medical inflation. The Affordable Care Act has brought greater scrutiny to the market and we've seen some great progress. In fact, the number of requested increases in health insurance premiums beyond 10 percent comprised 75 percent of rate filings in 2010, and that has declined to 34 percent in 2012. This is a large step forward but without closing the remaining loophole not all consumers will be able to benefit from protection from unreasonable rate increases. Health insurance companies will continue to do what they have done for far too long: put their profits ahead of people. Rapidly escalating insurance costs strain businesses, families, and individuals.

Currently, 15 States still have little or no authority to block or modify unreasonable rate increases in the individual and small group markets. This means that even when the state's insurance regulators find a rate increase to be excessive, they do not have the ability to block or modify the increase. The Health Insurance Rate Review Act creates a Federal fallback for States currently lacking this authority. This will create parity across the country and give greater consistency of review and accountability for insurance companies seeking to raise rates beyond what is reasonable.

This legislation is a simple, commonsense solution: for States where the insurance commissioner does not have or use authority to block unreasonable rate increases, the Secretary of Health and Human Services can do so.

Affordability is vital to insuring access to quality health care. A 2010 survey by the Commonwealth Fund found

that 70 percent of people with a health problem found it difficult or impossible to find affordable coverage on the individual market. This problem goes beyond the increased cost of overall medical care. From the year 2000 to 2010, average premiums for family coverage increased by 117 percent, compared to medical inflation which rose close to 49 percent.

Insurance premiums make up a higher percentage of household income than ever before, increasing around three times faster than wages are. This means that more and more families have to choose between health care and daily living expenses, saving for retirement, and education. This is unacceptable, and more must be done to protect consumers.

The Affordable Care Act made important steps forward in defining the rate review process and making rate increases and reviews public information. This has improved transparency but falls short of creating a strong rate review system in all States, and relies too heavily on the notion that public disclosure of rates will cause insurance companies to change their behavior every time they should.

I believe there needs to be a Federal fallback in states that lack the legal authority, capacity, or resources to conduct strong rate review.

In some States, like California, companies are not required to go through prior approval before rate increases go into effect. This means that when the California Insurance Commissioner finds rate increases to be unreasonable and excessive, he has no authority to actually stop or modify the increases to consumers. California is facing double digit rate hikes again this year and this legislation would help prevent such excessive increases.

Earlier this year the California Insurance Commissioner found a rate increase by Anthem Blue Cross to be unreasonable and the company decided to proceed anyway. This affected around 250,000 small business policy holders who saw an increase of around 10.6 percent, and when combined with previous increases the average rate hike over two years reaches 19.5 percent.

In 2012, proposed rate increases across nine States by the John Alden Life Insurance Company and Time Insurance Company were found to be unreasonable but went forward anyway. These increases varied from a 12 percent increase in Louisiana to a 24 percent increase in Wisconsin. These increases in the individual and small group market also affected Arizona, Idaho, Missouri, Montana, Nebraska, Virginia, and Wyoming.

In some States, insurance commissioners already have this authority and are using it to protect consumers. This bill doesn't touch what they are doing.

In New York, because state regulators have the authority to modify rates, the average individual market increase for 2013 is four and a half percent instead of the initial request of a nine and a half percent increase.

In 2011, the Connecticut Insurance Department found an increase of nearly 13 percent by Anthem Blue Cross and Blue Shield to be excessive, and approved a four percent increase instead.

Also in 2011, some North Dakota consumers on the individual health insurance market were facing a nearly 30 percent increase before state regulators stepped in and decreased the proposed hikes by almost half.

I strongly believe that we need to take action to strengthen the law so all consumers get the protection of effective health insurance rate review. I appreciate working with Representative SCHAKOWSKY, who is sponsoring the House companion bill.

I urge my colleagues to join me in supporting the Health Insurance Rate Review Act to stand up for American families struggling to pay for health coverage. I look forward to working with my colleagues on this important issue.

By Mrs. BOXER:

S. 483. A bill to designate the Berryessa Snow Mountain National Conservation Area in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am pleased to introduce the Berryessa Snow Mountain National Conservation Area Act. Congressman MIKE THOMPSON and I introduced this legislation in the 112th Congress, and I am glad to continue working on this effort with him in this new Congress.

This important legislation designates close to 350,000 acres of public lands in Lake, Mendocino, Napa, Solano, and Yolo Counties as the Berryessa Snow Mountain National Conservation Area, or NCA. The area is a haven for hiking, camping, rafting, and horseback riding, and is home to a diverse array of wildlife including black bears and bald eagles.

My bill does not add any new lands to the Federal Government, the lands included in this NCA are already managed by the Bureau of Land Management, the Bureau of Reclamation, and the U.S. Forest Service and it does not apply to state or private lands. A National Conservation Area designation will require these three agencies to develop a multi-agency management plan in consultation with stakeholders and the public, improving coordination on wildlife preservation, habitat restoration, and recreational opportunities. Creation of the NCA will also help the agencies take a more coordinated approach to preventing and fighting wildfires, combating invasive species and water pollution, and stopping the spread of illegal marijuana growth.

By unifying these individual places under one banner, my bill helps put the Berryessa Snow Mountain region on the map as a destination for new visitors. This region is one of the most biologically diverse, yet least known regions of California. By raising its profile, an NCA designation will boost tourism and increase business opportunities in the region's gateway communities. The Outdoor Industry Association has estimated that outdoor recreation supports 732,000 jobs and contributes $85.4 billion annually in consumer spending to California's economy, underscoring the immense potential of sites such as the proposed Berryessa Snow Mountain NCA to drive local economic growth. Additionally, the region will become recognized by more people as uniform signage and publications are created to reach more diverse audiences, allowing them to learn more about this beautiful area.

Creation of this proposed National Conservation Area has strong support from a large coalition of local governments, elected officials, business owners, landowners, farmers, private individuals, and many conservation and recreation groups. This bill is the culmination of a grassroots effort of concerned citizens taking the initiative to care for the beautiful areas in their communities, and I am proud to support their work and commitment.

The Berryessa Snow Mountain region deserves national status and recognition, and I urge my colleagues to join me in supporting this effort.

By Mr. INHOFE (for himself, Mr. VITTER, Mr. COBURN, Mr. ENZI, Mrs. FISCHER, Mr. BLUNT, and Mr. GRASSLEY):

S. 484. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, I rise today to introduce the Lead Exposure Reduction Amendments Act of 2013.

In April 2010, an EPA rule governing work done in homes constructed before 1978 took effect. The aim of this rule is to protect at-risk populations, defined as pregnant women and children under the age of six, from harmful lead paint dust particles that may be generated during home construction, rehabilitation, and remodeling work. While lead paint was generally discontinued from in-home use in the 1960s and 1970s, the rule applies to all homes built before 1978 and requires all contractors to be certified by the EPA and be supervised by an EPA certified renovator while following rigorous and costly safe lead work practices.

Some of these requirements include sealing off the area where the renovation is occurring; removing all objects from the work area; covering any porous work areas with smooth, cleanable areas; using special tools that have emission exhaust controls; vacuuming all items, including people's clothes, who leave the work space; and generally cleaning the work area to ensure there is no dust following completion of the job.

I believe everyone in this chamber stands strongly behind the intent of the rule, which is to protect children

and pregnant women from the harmful effects of lead. With 20 kids and grandkids, I appreciate the importance of the rule, and the potential it has to further decrease lead exposure. But this rule does add significant cost to the completion of renovation jobs and adds significant regulatory hurdles to many small business owners in situations where it may not at all be necessary.

Fortunately, the original rule included an opt-out provision for homeowners who did not have any at-risk individuals living in their homes. Provided the contractor made them aware of the potential lead-paint risks, the homeowner could give the contractor permission to carry out the job without following the EPA's lead safe work practices. This makes sense because the health issues caused by renovation work in homes with lead paint are minor for adults and older children who are not members of the at-risk population.

But in July 2010, just three months after the rule took effect, the EPA removed this opt-out provision. By doing this, EPA more than doubled the number of homes requiring safe work practices and increased the economy-wide cost of compliance by well more than $336 million by EPA's own estimate, which is significantly less than reality.

Further, EPA has failed to meet the requirements of its own rule because there are no commercially available lead paint test kits. Test kits would allow contractors to see whether work spaces include any lead paint, and if none is detected then the contractor would not have to follow lead safe work practices, which makes sense. Unfortunately, the test kits that are currently available produce 60-percent false positives, requiring many homeowners to pay significantly more for home remodeling work, even though there may not be any lead to protect them from.

The bill I'm introducing today is simple. It would first require the EPA to restore the opt-out provision. If homeowners have no residents who are at-risk to lead paint contamination, then they should be able to waive the regulatory requirement.

The bill will also suspend the rule for homes built after 1960 if the EPA does not develop workable test kits, unless those homes include members of the at-risk population. The bill would also provide a de minimis exemption for first-time paperwork violations against contractors. The EPA has focused its enforcement efforts on these violations despite the fact that the contractors may be appropriately following safe lead practices.

Finally, the bill prohibits EPA from expanding this regulation to commercial and public buildings until it has completed a study to determine the risk of such practices. EPA is in the process of writing these regulations even though it has not yet completed the corresponding study. If there is no risk, why would EPA issue regulations? They would be a solution in search of a problem. EPA needs to do its due diligence and determine whether there would be any meaningful health benefits from extending this rule to other areas.

In closing, I want to reiterate my dedication to the cause of protecting the health of vulnerable populations, and particularly pregnant women and children. But it is important for EPA's regulations to be pursued in a way that make sense, and that is what my bill intends to do. This is an ongoing goal of mine as a senior member of the Environment and Public Works Committee.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 484

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lead Exposure Reduction Amendments Act of 2013''.

SEC. 2. DEFINITIONS.

Section 401 of the Toxic Substances Control Act (15 U.S.C. 2681) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting the clauses appropriately;

(B) in the first sentence, by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term'';

(C) by striking ''Such term includes—'' and inserting the following:

''(B) INCLUSIONS.—The term 'abatement' includes—''; and

(D) by adding at the end the following:

''(C) EXCLUSIONS.—The term 'abatement' does not include any renovation, remodeling, or other activity—

''(i) the primary purpose of which is to repair, restore, or remodel target housing, public buildings constructed before 1978, or commercial buildings; and

''(ii) that incidentally results in a reduction or elimination of lead-based paint hazards.'';

(2) by redesignating—

(A) paragraphs (4) through (12) as paragraphs (5) through (13);

(B) paragraph (13) as paragraph (15); and

(C) paragraphs (14) through (17) and paragraphs (18) through (21), respectively;

(3) by inserting after paragraph (3) the following:

''(4) EMERGENCY RENOVATION.—The term 'emergency renovation' means a renovation or remodeling activity that is carried out in response to an event—

''(A) that is an act of God, as that term is defined in section 101(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; or

''(B) that if not attended to as soon as is practicable—

''(i) presents a risk to the public health or safety; or

''(ii) threatens to cause significant damage to equipment or property.'';

(4) by striking paragraph (10) (as redesignated by paragraph (2)) and inserting the following:

''(10) LEAD-BASED PAINT.—

''(A) IN GENERAL.—The term 'lead-based paint' means paint or other surface coatings that contain lead in excess of—

''(i) 1.0 milligrams per centimeter squared; or

''(ii) 0.5 percent by weight.

''(B) TARGET HOUSING.—With respect to paint or other surface coatings on target housing, the term 'lead-based paint' means paint or other surface coatings that contain lead in excess of the lower of—

''(i) the level described in subparagraph (A); or

''(ii) a level established by the Secretary of Housing and Urban Development under section 302(c) of the Lead-Based Paint Poisoning Prevention Act.'';

(5) by inserting after paragraph (13) (as redesignated by paragraph (2)) the following:

''(14) POSTABATEMENT CLEARANCE TESTING.—The term 'postabatement clearance testing' means testing that—

''(A) is carried out upon the completion of any lead-based paint activity to ensure that—

''(i) the reduction is complete; and

''(ii) no lead-based paint hazards remain in the area in which the lead-based paint activity occurs; and

''(B) includes a visual assessment and the collection and analysis of environmental samples from an area in which lead-based paint activities occur.''; and

(6) by inserting after paragraph (15) (as redesignated by paragraph (2)) the following:

''(16) RENOVATION.—The term 'renovation' has the meaning given such term in section 745.83 of title 40, Code of Federal Regulations, as in effect on the date of enactment of this paragraph.

''(17) RENOVATION AND REMODELING REGULATION.—The term 'renovation and remodeling regulation' means a regulation promulgated under section 402(a) and revised pursuant to section 402(c)(3)(A), as such regulation is applied to renovation or remodeling activities in target housing, public buildings constructed before 1978, and commercial buildings.''.

SEC. 3. LEAD-BASED PAINT ACTIVITIES TRAINING AND CERTIFICATION.

Section 402(c) of the Toxic Substances Control Act (15 U.S.C. 2682(c)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) STUDY OF CERTIFICATION.—

''(A) IN GENERAL.—Not later than 1 year prior to proposing any renovation and remodeling regulation after the date of enactment of the Lead Exposure Reduction Amendments Act of 2012, the Administrator shall conduct, submit to the Congress, and make available for public comment (after peer review) the results of, a study of the extent to which persons engaged in various types of renovation and remodeling activities in target housing, public buildings constructed before 1978, or commercial buildings—

''(i) are exposed to lead in the conduct of such activities; and

''(ii) disturb lead and create a lead-based paint hazard on a regular or occasional basis in the conduct of such activities.

''(B) SCOPE AND COVERAGE.—Each study conducted under subparagraph (A) shall consider the risks described in clauses (i) and (ii) of such subparagraph with respect to each separate building type described in such subparagraph, as the regulation to be proposed would apply to each such building type.'';

(2) in paragraph (3)—

(A) in the first sentence by striking ''Within 4 years'' and inserting the following:

''(A) IN GENERAL.—Not later than 4 years''; and

(B) by adding at the end the following:

''(B) EXEMPTION.—An emergency renovation shall be exempt from any renovation

and remodeling regulation, and a person carrying out an emergency renovation shall be exempt from any regulation promulgated under section 406(b) with respect to the emergency renovation.

''(C) PROHIBITION ON POSTABATEMENT CLEARANCE REQUIREMENT.—No renovation and remodeling regulation may require postabatement clearance testing.''; and

(3) by adding at the end the following:

''(4) TARGET HOUSING OWNERS.—

''(A) IN GENERAL.—Not later than 60 days after the date of enactment of this paragraph, and subject to subparagraph (B), the Administrator shall promulgate regulations to permit an owner of a residential dwelling that is target housing, who resides in such residential dwelling, to authorize a contractor to forgo compliance with the requirements of a renovation and remodeling regulation with respect to such residential dwelling.

''(B) WRITTEN CERTIFICATION.—The regulations promulgated under subparagraph (A) shall require that an owner of a residential dwelling that is target housing, who resides in such residential dwelling, may only authorize a contractor to forgo compliance with the requirements of a renovation and remodeling regulation if the owner submits to such contractor a written certification stating that—

''(i) the renovation or remodeling project is to be carried out at the residential dwelling in which the owner resides;

''(ii) no pregnant woman or child under the age of 6 resides in the residential dwelling as of the date on which the renovation or remodeling project commences, or will reside in the residential dwelling for the duration of such project; and

''(iii) the owner acknowledges that, in carrying out the project, such contractor will be exempt from the requirements of a renovation and remodeling regulation.

''(C) RESTRICTION.—A contractor may not forgo compliance with the requirements of a renovation and remodeling regulation pursuant to a written certification submitted under subparagraph (B) if such contractor has actual knowledge of a pregnant woman or child under the age of 6 residing in the residential dwelling as of the date on which the renovation or remodeling commences (and for the duration of such project).

''(D) LIMITATION OF CONTRACTOR LIABILITY.—The Administrator may not hold a contractor responsible for a misrepresentation made by the owner of a residential dwelling in a written certification submitted under subparagraph (B), unless the contractor has actual knowledge of such a misrepresentation.

''(5) TEST KITS.—

''(A) IN GENERAL.—

''(i) RECOGNITION.—The Administrator shall recognize for use under this title a qualifying test kit, and publish in the Federal Register notice of such recognition.

''(ii) SUSPENSION OF ENFORCEMENT OF CERTAIN REGULATIONS.—If, not later than 1 year after the date of enactment of this paragraph, the Administrator does not recognize a qualifying test kit under clause (i), the Administrator—

''(I) shall publish in the Federal Register notice of such failure to recognize a qualifying test kit; and

''(II) except as provided in clause (iii), may not enforce any post-1960 building renovation and remodeling regulation, with respect to a period beginning on the date that is 1 year after the date of enactment of this paragraph and ending on the date that is 6 months after the date on which the Administrator—

''(aa) recognizes for use under this title a qualifying test kit; and

''(bb) publishes in the Federal Register notice of such recognition and of the date on which enforcement of the post-1960 building renovation and remodeling regulations will resume.

''(iii) APPLICABILITY OF SUSPENSION.—The Administrator shall not suspend enforcement of any post-1960 building renovation and remodeling regulation for the period described in clause (ii)(II) with respect to a residential dwelling in which a pregnant woman or child under the age of 6 resides.

''(B) QUALIFYING TEST KIT.—In this subsection, the term 'qualifying test kit' means a chemical test that—

''(i) can determine the presence of lead-based paint, as defined in section 401(10)(A);

''(ii) has a false positive response rate of 10 percent or less;

''(iii) has a false negative response rate of 5 percent or less;

''(iv) does not require the use of off-site laboratory analysis to obtain results;

''(v) is inexpensively and commercially available; and

''(vi) does not require special training to use.

''(C) POST-1960 BUILDING RENOVATION AND REMODELING REGULATION.—In this subsection, the term 'post-1960 building renovation and remodeling regulation' means a renovation and remodeling regulation, as it applies to—

''(i) target housing constructed after January 1, 1960;

''(ii) public buildings constructed between January 1, 1960 and January 1, 1978; and

''(iii) commercial buildings constructed after January 1, 1960.

''(6) APPLICABILITY OF CERTAIN PENALTIES.—Any renovation and remodeling regulation requiring the submission of documentation to the Administrator shall provide—

''(A) an exemption from an applicable penalty for failure to comply with such requirement for a person who—

''(i) is submitting the required documentation for the first time; and

''(ii) submits documentation that contains only de minimus or typographical errors, as determined by the Administrator; and

''(B) a process by which a person described in subparagraph (A) may resubmit the required documentation.

''(7) ACCREDITATION OF RECERTIFICATION COURSES.—The hands-on training requirements required by subsection (a)(2)(D) shall not apply to any recertification course accredited by the Environmental Protection Agency that is otherwise required to be completed under this title by a person that is certified to engage in renovation and remodeling activities.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 68—CONGRATULATING THE PENN STATE IFC/PANHELLENIC DANCE MARATHON ON ITS CONTINUED SUCCESS IN SUPPORT OF THE FOUR DIAMONDS FUND AT PENN STATE HERSHEY CHILDREN'S HOSPITAL

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

S. RES. 68

Whereas the Penn State IFC/Panhellenic Dance Marathon (commonly referred to as ''THON'') is the largest student-run philanthropy in the world, with 710 dancers, more than 15,000 volunteers, and more than 300 supporting organizations involved in the annual event;

Whereas student volunteers at the Pennsylvania State University annually raise money and dance for 46 consecutive hours at the Bryce Jordan Center, bringing energy and excitement to the Pennsylvania State University campus for the mission of conquering pediatric cancer and promoting awareness of the disease to thousands of individuals;

Whereas all THON activities support the mission of the Four Diamonds Fund at Penn State Hershey Children's Hospital, which provides financial and emotional support to pediatric cancer patients and their families and funds research on pediatric cancer;

Whereas THON is the largest donor to the Four Diamonds Fund at Penn State Hershey Children's Hospital each year, having raised more than $100,000,000 since 1977, when the 2 organizations first partnered;

Whereas, in 2013, THON set a new fundraising record of $12,374,034.46, surpassing the previous record of $10,686,924.83, set in 2012;

Whereas THON—

(1) has helped more than 2,000 families through the Four Diamonds Fund;

(2) is helping to build a new Pediatric Cancer Pavilion at Penn State Hershey Children's Hospital; and

(3) has supported pediatric cancer research that has caused some pediatric cancer survival rates to increase to nearly 90 percent; and

Whereas THON has inspired similar organizations and events across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and remain involved in great charitable causes in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Penn State IFC/Panhellenic Dance Marathon (commonly referred to as ''THON'') on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; and

(2) commends the Pennsylvania State University students, volunteers, and supporting organizations for their hard work in organizing another record-breaking THON.

SENATE CONCURRENT RESOLUTION 6—SUPPORTING THE LOCAL RADIO FREEDOM ACT

Mr. BARRASSO (for himself and Ms. HEITKAMP) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 6

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world, due to the symbiotic relationship that has existed among those industries for many decades;

Whereas, for more than 80 years, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such a fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio air play, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;