

“(iv) 2-YEAR STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed against any person under clause (i) if the violation charged occurred more than 2 years prior to the date of issuance of the required notice or notice of apparent liability.

“(B) CRIMINAL FINE.—Any person who willfully and knowingly violates this subsection shall upon conviction thereof be fined not more than \$10,000 for each violation, or 3 times that amount for each day of a continuing violation, in lieu of the fine provided by section 501 for such a violation. This subparagraph does not supersede the provisions of section 501 relating to imprisonment or the imposition of a penalty of both fine and imprisonment.

“(6) ENFORCEMENT BY STATES.—

“(A) IN GENERAL.—The chief legal officer of a State, or any other State officer authorized by law to bring actions on behalf of the residents of a State, may bring a civil action, as *parens patriae*, on behalf of the residents of that State in an appropriate district court of the United States to enforce this subsection or to impose the civil penalties for violation of this subsection, whenever the chief legal officer or other State officer has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of this subsection or a regulation under this subsection.

“(B) NOTICE.—The chief legal officer or other State officer shall serve written notice on the Commission of any civil action under subparagraph (A) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such civil action.

“(C) AUTHORITY TO INTERVENE.—Upon receiving the notice required by subparagraph (B), the Commission shall have the right—

“(i) to intervene in the action;

“(ii) upon so intervening, to be heard on all matters arising therein; and

“(iii) to file petitions for appeal.

“(D) CONSTRUCTION.—For purposes of bringing any civil action under subparagraph (A), nothing in this paragraph shall prevent the chief legal officer or other State officer from exercising the powers conferred on that officer by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

“(E) VENUE; SERVICE OR PROCESS.—

“(i) VENUE.—An action brought under subparagraph (A) shall be brought in a district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

“(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A)—

“(I) process may be served without regard to the territorial limits of the district or of the State in which the action is instituted; and

“(II) a person who participated in an alleged violation that is being litigated in the civil action may be joined in the civil action without regard to the residence of the person.

“(7) EFFECT ON OTHER LAWS.—This subsection does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States.

“(8) DEFINITIONS.—For purposes of this subsection:

“(A) CALLER IDENTIFICATION INFORMATION.—The term ‘caller identification infor-

mation’ means information provided by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service.

“(B) CALLER IDENTIFICATION SERVICE.—The term ‘caller identification service’ means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service. Such term includes automatic number identification services.

“(C) IP-ENABLED VOICE SERVICE.—The term ‘IP-enabled voice service’ has the meaning given that term by section 9.3 of the Commission’s regulations (47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.

“(9) LIMITATION.—Notwithstanding any other provision of this section, subsection (f) shall not apply to this subsection or to the regulations under this subsection.”.

EARLY CANCER DETECTION MONTH

Mr. REID. I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of H. Con. Res. 158 and the Senate proceed to the consideration of that matter.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 158) expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mrs. HAGAN. Mr. President, I rise in support of Senate passage of H. Con. Res. 158, the House companion to a resolution I introduced last August to highlight greater awareness of breast and other cancers by designating an early cancer detection month. This House resolution is sponsored by my good friend and colleague from North Carolina, Congressman BOB ETHERIDGE.

Almost every person has been touched by cancer, either personally or through a family member or friend who has suffered from some form of the disease. Sadly, every year, more than 2 million new cases of cancer are diagnosed in the United States.

The most common forms of cancer diagnosed in Americans are skin cancer, breast cancer in women, prostate cancer in men, lung cancer, and colorectal cancers. And it is estimated that in 2009, over half a million Americans died from all types of cancer.

Last year, in North Carolina, there were an estimated 42,270 new cases of cancer and more than 18,000 deaths due to cancer. Of those lost, 1,300 deaths were from breast cancer in women and 860 deaths from prostate cancer.

Current cancer treatments include surgery, radiation, chemotherapy, hormone therapy, biological therapy, and targeted therapy; however, there is no

cure. Many oncologists and breast cancer researchers believe that a cure for breast cancer will not be discovered until well into the future.

However, we cannot sit idly by while we wait for a cure. Instead, we must continue to support organizations, health care providers, and even our friends who work so hard to raise awareness about cancer, particularly cancer prevention and early detection. Fortunately, many forms of cancer can be prevented altogether, such as skin cancer and lung cancer. In addition, at least half of all new cancer cases can be prevented or detected earlier by screening, and if detected early enough, more than 75 percent of all people could be saved when cancer is most treatable.

For breast cancer, early detection has been proven to reduce mortality. This is encouraging, due to the fact that 1 in 8 women in the United States will develop breast cancer in her lifetime.

In 2008 alone, the overall cost of cancer in the United States was estimated at \$228.1 billion. Greater awareness and early detection of all cancers will not only save tens of thousands of lives, but also greatly reduce the financial strain on the government and private health care services by detecting cancer before it requires very expensive treatment.

Cancer has taken an enormous toll on our society’s health and economy. But this disease, in all its forms, is often detectable at early stages. By designating a month to focus on early detection for breast cancer and all other forms of cancer, we will address some of the principle challenges that inhibit screening and prolong detection. Enhanced awareness and screening are the keys to reducing morbidity and mortality from cancer and reducing the financial and emotional stress that this disease places on Americans.

I want to thank Senator RICHARD DURBIN for joining me in cosponsoring the Senate resolution. I also would like to thank Representative ETHERIDGE for sponsoring the House companion, which passed on January 21. I am extremely pleased that both Chambers have been supportive of this issue and that the Senate is adopting this concurrent resolution today.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, that there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 158) was agreed to.

The preamble was agreed to.

RECOGNIZING THE AMERICAN KENNEL CLUB

Mr. REID. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of