disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes.

S. 906

At the request of Mr. WICKER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 946

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 946, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 983

At the request of Mr. NELSON of Florida, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 983, a bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil.

S. 1004

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1004, a bill to support Promise Neighborhoods.

S. 1023

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1023, a bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1034

At the request of Mr. SCHUMER, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1034, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. CON. RES. 13

At the request of Mr. ISAKSON, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Con. Res. 13, a concurrent resolution honoring the service and sacrifice of members of the United States Armed Forces who are serving in, or have served in, Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn.

S. CON. RES. 17

At the request of Mr. MENENDEZ, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

S. RES. 132

At the request of Mr. NELSON of Nebraska, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 172

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. Res. 172, a resolution recognizing the importance of cancer research and the contributions made by scientists and clinicians across the United States who are dedicated to finding a cure for cancer, and designating May 2011, as ''National Cancer Research Month''.

S. RES. 175

At the request of Mrs. SHAHEEN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1044. A bill to amend title 10, United States Code, to authorize the Defense Commissary Agency to conduct a pilot program at military institutions to be closed or subject to an adverse realignment under a base closure law under which a commissary store may sell additional types of merchandise; to the Committee on Armed Services.

Ms. SNOWE. Mr. President, I rise today to introduce legislation with my colleague, Senator COLLINS, to authorize the Department of Defense to carry out a pilot program to sell certain products at commissaries that serve areas with military installations that have been adversely affected by a Base Closure and Realignment, BRAC, round. It is my fervent hope that this legislation will provide the Department of Defense with a means of reducing the operating costs of the commissary in Topsham, Maine sufficiently that they are able to keep a commissary in the area open for many years after the disestablishment of Naval Air Station, NAS, Brunswick.

As my colleagues know, the 2005 BRAC round ordered the closure of NAS Brunswick, Maine. That base, which once employed nearly 5,000 personnel in the region, will be officially disestablished on May 31, 2011. With the closure of NAS Brunswick, some in the Department of Defense have argued that the nearby commissary in Topsham, Maine, should also be closed.

However, even after the closure of NAS Brunswick, nearly 1,500 active duty, Guard, and Reserve service members remain within a 20 mile drive of the installation, including more than 300 active duty personnel who support the Navy's Supervisor of Shipbuilding, Conversion and Repair just down the road in Bath, Maine. In addition, almost 9,000 military retirees and their dependents live in the immediate area, with many thousands more living within an hour's drive.

Thanks to a provision that I and my Maine colleagues succeeded in having included in the Ike Skelton National Defense Authorization Act for Fiscal Year 2011, the Topsham commissary will remain open until at least September 15, 2011, while the Department of Defense considers the findings of a Government Accountability Office review on commissary operations and policies.

That GAO review was recently completed, and it revealed that the Department's decision to close the commissary was based on instructions that lack clear criteria for determining when commissaries should be established, operated, or closed. DOD concurred with GAO's assessment that its instructions are unclear, and indicated that it would clarify its criteria in the next version of commissary operations.

So, just one week ago, on May 10, 2011, Senator COLLINS and I wrote to Under Secretary of Defense for Personnel and Readiness Clifford Stanley to urge that he not close ANY commissary—including the Topsham commissary—until those instructions are clarified. Such an approach is the only reasonable route for DOD to move forward in a fair and transparent manner.

In recognition of the financial challenges facing our nation, we have also developed an idea to reduce the operating costs of the Topsham commissary, which DOD estimates to be approximately $2.2 million per year. The store currently returns about $400,000 to the commissary system through surcharge revenues, but I certainly appreciate how important it is to address the state of our nation's budget.

So, with a commissary at Topsham, and an exchange at NAS Brunswick, we explored the option of using a provision in existing law to create a ''combined'' store. Although that idea was appealing, we learned that every store created under that authority has eventually failed for lack of financial support. Thus, we developed the legislation we introduce here today.

This bill would create a pilot program to operate an ''enhanced commissary store'' in the Topsham-Brunswick area and at other installations closed or adversely realigned by a BRAC round. This new authority would allow the pilot stores to sell items that are currently sold by or for the military exchanges, such as alcoholic beverages and tobacco products. Unlike other products at the commissary, which are sold at cost plus a 5 percent surcharge, these products would be sold at higher prices as determined by the Secretary of Defense, and the proceeds from those sales would be applied to reducing the operating costs of each enhanced commissary.

Although it is difficult to determine how much revenue would result from this proposal, preliminary estimates are that it could reduce costs at a location such as the Topsham commissary by approximately $300,000 per year. That is more than enough to make a cost-effective benefit like the commissary an even better deal for our service members and the taxpayer.

On a final note, I would point out that this bill is quite similar to a provision included at the behest of Congresswoman CHELLIE PINGREE in H.R. 1540, the National Defense Authorization Act fiscal year 2012, as reported by the House Armed Services Committee. It has been my pleasure to work with her in developing this concept, and I hope that we will be able to include similar language in the Senate version of the bill later this year.

I believe that this bill is a common sense solution to ensuring that our service members, military retirees, and their dependents are able to continue to access the extremely important and valued benefit that is the commissary system, even in locations that undergo significant realignments due to a BRAC round. I urge my colleagues to consider this legislation, and look forward to working with the Senate Armed Services Committee to include the proposal in their version of the National Defense Authorization Act for fiscal year 2012.

By Mr. UDALL of Colorado:

S. 1047. A bill to amend the Reclamation Projects Authorization and Adjustment of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, today I am introducing the Leadville Mine Drainage Tunnel Act of 2011 to address concerns of federal jurisdiction and public safety regarding a mine drainage tunnel in Leadville, CO.

In 2008, a blockage formed in the Leadville Mine Drainage Tunnel that backed up a large volume of contaminated water, creating a serious safety hazard for the surrounding community if a catastrophic tunnel failure were to occur. The Bureau of Reclamation and the U.S. Environmental Protection Agency, EPA, took actions to address the immediate threat, including installing a dewatering relief well to relieve water pressure behind the tunnel blockage. However, in the process, questions arose as to whether the Bureau of Reclamation, which owns the tunnel, has the authority to help implement a number of remedies by treating contaminated water from the tunnel. My bill clarifies that the Bureau of Reclamation has the authority to treat this water and is responsible for maintaining the Leadville Mine Drainage Tunnel to protect public safety and reduce future threats to the community.

The Leadville Mine Drainage Tunnel was originally constructed by the federal Bureau of Mines in the 1940s and 1950s to facilitate the extraction of lead and zinc ore for World War II and Korean War efforts. The Bureau of Reclamation acquired the tunnel in 1959, hoping to use it as a source of water for the Fryingpan-Arkansas Project, a water diversion project in the Fryingpan and Arkansas River Basins. Although the tunnel was never used for the Fryingpan-Arkansas Project, water that flows out of the tunnel is considered part of the natural flow of the Arkansas River. With the passage and subsequent signing into law of H.R. 429 during the 102nd Congress, the Bureau of Reclamation constructed and continues to operate a water treatment plant at the mouth of the tunnel.

Water levels in the tunnel have fluctuated in recent years. The 2008 collapse in the tunnel increased the tunnel's mine pool significantly, leading to new seeps and springs in the area. Estimates suggest that up to 1 billion gallons of water may have built up behind the blockage within the mine pool.

In November 2007, EPA sent a letter to the Bureau of Reclamation expressing concerns over a catastrophic blowout as a result of the built-up water, and, in February 2008, the Lake County Commissioners declared a state of emergency. The Bureau of Reclamation developed a risk assessment in the area, and the EPA and the Bureau of Reclamation performed some emergency measures to relieve water pressure in the tunnel.

While this emergency work was important and successful, the Bureau of Reclamation's authority to participate in a long-term solution remains an open question. It is unclear whether the Bureau of Reclamation has the authority to treat the water from the dewatering relief well or surface water diverted into the tunnel from a nearby National Priorities List site.

In short, we found there is not only a physical blockage in the tunnel, but also a legal blockage that has prevented the Bureau of Reclamation, the EPA and the State of Colorado from reaching an agreement on a long-term solution. This legislation will clear out the legal blockage by allowing the Bureau of Reclamation and the EPA to work collaboratively on solutions and address the unsafe mine pool in the tunnel.

Specifically, the bill does three things:

First, the bill clarifies that the Bureau of Reclamation is required to maintain the structural integrity of the tunnel to minimize the chance of a catastrophic failure of the tunnel leading to the uncontrolled release of contaminated water.

Second, the bill clarifies that the Bureau of Reclamation has the authority to participate in the long-term solution by treating water pooling up behind the blockage and surface water diverted into the tunnel from operable unit 6 of the California Gulch National Priorities List, Superfund, site. Current law restricts the Bureau of Reclamation to treating only ''historically discharged'' effluent, and it is uncertain whether that includes treating water as part of the remedy.

Third, the bill requires the Bureau of Reclamation and EPA to cooperate on any Record of Decision for the California Gulch Superfund site that impacts the Leadville Mine Drainage Tunnel or the associated water treatment plant. As part of that cooperation, the agencies must enter into an

agreement describing how they will pay for any necessary changes to the tunnel or treatment plant.

The bill also authorizes any funding that might be necessary for the Bureau of Reclamation to perform its clarified responsibilities under this bill.

By clearing up the legal blockage, the bill will help create a collaborative working relationship between the Bureau of Reclamation, the EPA and the State of Colorado to solve this problem for the long-term benefit of Lake County and all of Southeastern Colorado.

Concerns about the safety of the Leadville Mine Drainage Tunnel have persisted for over 30 years, as have questions about federal agencies' responsibility to address those concerns. My bill will finally clarify federal jurisdiction and give the residents of Leadville, Colorado, as well as the entire Arkansas River Basin, an additional measure of certainty that the federal government will maintain safe conditions at the tunnel. I look forward to working with the rest of the Colorado Congressional delegation on this legislation and to its speedy passage.

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. 1047

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 ''Leadville Mine Drainage Tunnel Act of 2011''.

SEC. 2. TUNNEL MAINTENANCE; OPERATION AND MAINTENANCE.

Section 703 of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4656) is amended to read as follows:

''SEC. 703. TUNNEL MAINTENANCE; OPERATION AND MAINTENANCE.

''(a) LEADVILLE MINE DRAINAGE TUNNEL.—The Secretary shall take any action necessary to maintain the structural integrity of the Leadville Mine Drainage Tunnel—

''(1) to maintain public safety; and

''(2) to prevent an uncontrolled release of water from the tunnel portal.

''(b) WATER TREATMENT PLANT.—

''(1) IN GENERAL.—Subject to section 705, the Secretary shall be responsible for the operation and maintenance of the water treatment plant authorized under section 701, including any sludge disposal authorized under this title.

''(2) AUTHORITY TO OFFER TO ENTER INTO CONTRACTS.—In carrying out paragraph (1), the Secretary may offer to enter into 1 or more contracts with any appropriate individual or entity for the conduct of any service required under paragraph (1).''.

SEC. 3. REIMBURSEMENT.

Section 705 of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4656) is amended—

(1) by striking ''The treatment plant'' and inserting the following:

''(a) IN GENERAL.—Except as provided in subsection (b), the treatment plant'';

(2) by striking ''Drainage Tunnel'' and inserting ''Drainage Tunnel (which includes any surface water diverted into the Leadville Mine Drainage Tunnel and water collected by the dewatering relief well installed in June 2008)''; and

(3) by adding at the end the following:

''(b) EXCEPTION.—The Secretary may—

''(1) enter into an agreement with any other entity or government agency to provide funding for an increase in any operation, maintenance, replacement, capital improvement, or expansion cost that is necessary to improve or expand the treatment plant; and

''(2) upon entering into an agreement under paragraph (1), make any necessary capital improvement to or expansion of the treatment plant.''.

SEC. 4. USE OF LEADVILLE MINE DRAINAGE TUNNEL AND TREATMENT PLANT.

Section 708(a) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4657) is amended—

(1) by striking ''(a) The Secretary'' and inserting the following:

''(a) IN GENERAL.—

''(1) AUTHORIZATION.—The Secretary'';

(2) by striking ''Neither'' and inserting the following:

''(2) LIABILITY.—Neither'';

(3) by striking ''The Secretary shall have'' and inserting the following:

''(3) FACILITIES COVERED UNDER OTHER LAWS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall have'';

(4) by inserting after ''Recovery Act.'' the following:

''(B) EXCEPTION.—If the Administrator of the Environmental Protection Agency proposes to amend or issue a new Record of Decision for operable unit 6 of the California Gulch National Priorities List Site, the Administrator shall consult with the Secretary with respect to each feature of the proposed new or amended Record of Decision that may require any alteration to, or otherwise affect the operation and maintenance of—

''(i) the Leadville Mine Drainage Tunnel; or

''(ii) the water treatment plant authorized under section 701.

''(4) AUTHORITY OF SECRETARY.—The Secretary may implement any improvement to the Leadville Mine Drainage Tunnel or improvement to or expansion of the water treatment plant authorized under section 701 as a result of a new or amended Record of Decision for operable unit 6 of the California Gulch National Priorities List Site only upon entering into an agreement with the Administrator of the Environmental Protection Agency or any other entity or government agency to provide funding for the improvement or expansion.''; and

(5) by striking ''For the purpose of'' and inserting the following:

''(5) DEFINITION OF UPPER ARKANSAS RIVER BASIN.—In''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 708(f) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4657) is amended by striking ''sections 707 and 708'' and inserting ''this section and sections 703, 705, and 707''.

SEC. 6. CONFORMING AMENDMENT.

The table of contents of title VII of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4601) is amended by striking the item relating to section 703 and inserting the following:

''Sec. 703. Tunnel maintenance; operation and maintenance.''.

By Mr. KYL (for himself, Mr. BARRASSO, Mr. BURR, Mr. COBURN, and Mr. ROBERTS):

S. 1049. A bill to lower health premiums and increase choice for small business; to the Committee on Finance.

Mr. KYL. 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. 1049

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 ''Small Business Health Relief Act of 2011''.

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

Sec. 1. Short title; table of contents.

TITLE I—MAKING COVERAGE AFFORDABLE FOR SMALL BUSINESSES

Sec. 101. Protecting American jobs and wages.
Sec. 102. Increasing flexibility for small businesses.
Sec. 103. Increasing choices for Americans.
Sec. 104. Protecting patients from higher premiums.
Sec. 105. Ensuring affordable coverage.

TITLE II—INCREASING CONSUMER CONTROL

Sec. 201. Repeal of the restriction on over-the-counter medicines.
Sec. 202. Repeal of the annual cap.

TITLE III—ALLOWING INDIVIDUALS TO KEEP COVERAGE THEY LIKE

Sec. 301. Allowing individuals to keep the coverage they have if they like it.

TITLE I—MAKING COVERAGE AFFORDABLE FOR SMALL BUSINESSES

SEC. 101. PROTECTING AMERICAN JOBS AND WAGES.

Sections 1513 and 1514 and subsections (e), (f), and (g) of section 10106 of the Patient Protection and Affordable Care Act (Public Law 111–148) and the amendments made by such sections and subsections are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

SEC. 102. INCREASING FLEXIBILITY FOR SMALL BUSINESSES.

Section 1302(c)(2) of the Patient Protection and Affordable Care Act (Public Law 111–148) is repealed.

SEC. 103. INCREASING CHOICES FOR AMERICANS.

(a) QUALIFIED HEALTH PLAN COVERAGE SATISFIED BY HIGH DEDUCTIBLE HEALTH PLAN WITH HEALTH SAVINGS ACCOUNT.—Section 1302(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18022(e)) is amended to read as follows:

''(e) HIGH DEDUCTIBLE HEALTH PLAN WITH HEALTH SAVINGS ACCOUNT.—A health plan not providing a bronze, silver, gold, or platinum level of coverage shall be treated as meeting the requirements of subsection (d) with respect to any plan year for any enrollee if the plan meets the requirements for a high deductible health plan under section 223(c)(2) of the Internal Revenue Code of 1986 and such enrollee has established a health savings account (as defined in section 223(d)(1) of such Code) in relation to such plan.''.

(b) CONFORMING AMENDMENTS.—

(1) Subparagraph (C) of section 1312(d)(3) of the Patient Protection and Affordable Care

Act (42 U.S.C. 18032(d)(3)) is amended by striking ''\, except'' and all that follows through ''1302(e)(2)''.

(2) Subparagraph (A) of section 36B(c)(3) of the Internal Revenue Code of 1986, as added by section 1401(a) of the Patient Protection and Affordable Care Act (Public Law 111–148) is amended by striking ''\, except'' and all that follows through ''such Act''.

(3) Subparagraph (B) of section 1334(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18054(c)(1)) is amended by striking ''and catastrophic coverage''.

SEC. 104. PROTECTING PATIENTS FROM HIGHER PREMIUMS.

Section 9010 of the Patient Protection and Affordable Care Act (Public Law 111–148), as amended by section 10905 of such Act, is repealed.

SEC. 105. ENSURING AFFORDABLE COVERAGE.

Section 2701(a)(1)(A)(iii) of the Public Health Service Act (42 U.S.C. 300(a)(1)(A)(iii)), as added by section 1201 of the Patient Protection and Affordable Care Act (Public Law 111-148), is amended by striking ''\, except'' and all that follows through ''2707(c))''.

TITLE II—INCREASING CONSUMER CONTROL

SEC. 201. REPEAL OF THE RESTRICTION ON OVER-THE-COUNTER MEDICINES.

Section 9003 of the Patient Protection and Affordable Care Act (Public Law 111–148) and the amendments made by such section are repealed; and the Internal Revenue Code of 1986 shall be applied as if such section, and amendments, had never been enacted.

SEC. 202. REPEAL OF THE ANNUAL CAP.

Sections 9005 and 10902 of the Patient Protection and Affordable Care Act (Public Law 111–148) and section 1403 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) and the amendments made by such sections are repealed.

TITLE III—ALLOWING INDIVIDUALS TO KEEP COVERAGE THEY LIKE

SEC. 301. ALLOWING INDIVIDUALS TO KEEP THE COVERAGE THEY HAVE IF THEY LIKE IT.

(a) IN GENERAL.—Section 1251(a)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 18011) is amended—

(1) by striking ''Except as provided in paragraph (3),'' and inserting the following:

''(A) IN GENERAL.—Except as provided in paragraphs (3) and (4),''; and

(2) by adding at the end the following:

''(B) PROTECTING EMPLOYERS AND CONSUMERS WITH GRANDFATHERED COVERAGE.—

''(i) IN GENERAL.—A group health plan or health insurance coverage in which an individual is enrolled on or after March 23, 2010, but before any plan year beginning not later than 1 year after the date of the enactment of this subparagraph, and which is deemed to be a grandfathered health plan under this section, shall continue to be considered a grandfathered health plan with respect to such individual regardless of any modification to the cost-sharing levels, employer contribution rates, or covered benefits under such plan or coverage as otherwise permitted under this Act (and the amendments made by this Act).

''(ii) REGULATIONS.—The Secretary shall promulgate regulations to clarify the application of clause (i) to a plan or coverage that continues to be a grandfathered health plan pursuant to such clause.''.

(b) EFFECTIVE DATE; PREVIOUSLY PROMULGATED REGULATIONS VOIDED.—

(1) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Patient Protection and Affordable Care Act.

(2) PREVIOUSLY PROMULGATED REGULATIONS VOIDED.—Any regulations relating to section 1251(a)(2) of such Act promulgated before the date of the enactment of this Act shall have no force or effect.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 194—EXPRESSING THE SENSE OF THE SENATE ON UNITED STATES MILITARY OPERATIONS IN LIBYA

Mr. MCCAIN (for himself, Mr. KERRY, Mr. LIEBERMAN, Mr. LEVIN, Mr. GRAHAM, Mrs. FEINSTEIN, and Mr. CHAMBLISS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 194

Whereas peaceful demonstrations that began in Libya, inspired by similar movements in Tunisia, Egypt, and elsewhere in the Middle East, quickly spread to cities around the country, calling for greater political reform, opportunity, justice, and the rule of law;

Whereas, Muammar Qaddafi, his sons, and forces loyal to them responded to the peaceful demonstrations by authorizing and initiating violence against civilian non-combatants in Libya, including the use of airpower and foreign mercenaries;

Whereas, on February 25, 2011, President Barack Obama imposed unilateral economic sanctions on and froze the assets of Muammar Qaddafi and his family, as well as the Government of Libya and its agencies, to hold the Qaddafi regime accountable for its continued use of violence against unarmed civilians and its human rights abuses and to safeguard the assets of the people of Libya;

Whereas, on February 26, 2011, the United Nations Security Council passed Resolution 1970, which mandates international economic sanctions and an arms embargo;

Whereas, in response to Qaddafi's assault on Libyan civilians, a ''no-fly zone'' in Libya was called for by the Gulf Cooperation Council on March 7, 2011, by the head of the Organization of the Islamic Conference on March 8, 2011, and by the Arab League on March 12, 2011;

Whereas Qaddafi's advancing forces, after recapturing cities in eastern Libya that had been liberated by the Libyan opposition, were preparing to attack Benghazi, a city of 700,000 people and the seat of the opposition Government in Libya, the Interim Transitional National Council;

Whereas Qaddafi stated that he would show ''no mercy'' to his opponents in Benghazi, and that his forces would go ''door to door'' to find and kill dissidents;

Whereas, on March 17, 2011, the United Nations Security Council passed Resolution 1973, which mandates ''all necessary measures'' to protect civilians in Libya, implement a ''no-fly zone'', and enforce an arms embargo against the Qaddafi regime;

Whereas President Obama notified key congressional leaders in a meeting at the White House on March 18, 2011, of his intent to begin targeted military operations in Libya;

Whereas the United States Armed Forces, together with coalition partners, launched Operation Odyssey Dawn in Libya on March 19, 2011, to protect civilians in Libya from immediate danger and to enforce an arms embargo and a ''no-fly zone''; and

Whereas, on March 31, 2011, the United States transferred authority for Operation Odyssey Dawn in Libya to NATO command, with the mission continuing as Operation Unified Protector: Now, therefore, be it

Resolved, That the Senate—

(1) supports the aspirations of the Libyan people for political reform and self-government based on democratic and human rights;

(2) commends the service of the men and women of the United States Armed Forces and our coalition partners who are engaged in military operations to protect the people of Libya;

(3) supports the limited use of military force by the United States in Libya as part of the NATO mission to enforce United Nations Security Council Resolution 1973 (2011), as requested by the Transitional National Council, the Arab League, and the Gulf Cooperation Council;

(4) agrees that the goal of United States policy in Libya, as stated by the President, is to achieve the departure from power of Muammar Qaddafi and his family, including through the use of non-military means, so that a peaceful transition can begin to an inclusive government that ensures freedom, opportunity, and justice for the people of Libya;

(5) affirms that the funds of the Qaddafi regime that have been frozen by the United States should be returned to the Libyan people for their benefit, including humanitarian and reconstruction assistance, and calls for exploring with the Transitional National Council the possibility of using some of such funds to reimburse NATO member countries for expenses incurred in Operation Odyssey Dawn and Operation Unified Protector; and

(6) calls on the President—

(A) to submit to Congress a description of United States policy objectives in Libya, both during and after Qaddafi's rule, and a detailed plan to achieve them; and

(B) to consult regularly with Congress regarding United States efforts in Libya.

SENATE RESOLUTION 195—COMMEMORATING THE 150TH ANNIVERSARY OF THE FOUNDING OF THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY IN CAMBRIDGE, MASSACHUSETTS

Mr. BROWN of Massachusetts (for himself and Mr. KERRY) submitted the following resolution; which was considered and agreed to:

S. RES. 195

Whereas when the Massachusetts Institute of Technology (referred to in this preamble as ''MIT'') was founded by William Barton Rogers, on April 10, 1861, the doors to a powerful new institution for education, discovery, and technological advancement were opened;

Whereas the commitment of MIT to innovation and the entrepreneurial spirit has trained innovators and delivered groundbreaking technologies that have significantly contributed to the fields of computing, molecular biology, sustainable development, biomedicine, new media, energy, and the environment;

Whereas there are an estimated 6,900 companies founded by MIT alumni in the State of Massachusetts alone, which have earned worldwide sales of approximately $164,000,000,000 and represent 26 percent of total sales made by Massachusetts companies;

Whereas the distinguished living alumni of MIT have founded approximately 25,800 companies that, as of 2011, provide jobs for approximately 3,300,000 people around the world and earn $2,200,000,000,000 in annual sales;

Whereas MIT has many notable alumni and professors who have contributed to leading