

programs under section 303, and the section 401 State water quality certification process.”

This issue is not about whether our water resources should be protected or not, which is often the spin on this issue. It is about whether the authority to regulate certain types of waters should lie with the federal government or should be retained by the states. WACD’s comments reflect the opinion that, on those waters falling outside of the traditional “navigable,” interstate waters’ realm should be regulated by the states. It has been our experience that those closest to the issue are typically most knowledgeable and capable of commonsense, cost effective approaches to resource protection and management.

WACD and the conservation districts have a solid record of projects that do successfully protect water quality in a commonsense, cost effective approach that benefits all water users and the state. The EPA’s 2011 draft guidance document hinders our ability to continue this mission by oftentimes placing districts in a position of reacting to federally driven requirements and priorities versus the highest priority resource issues in our communities.

Thanks to Senator Barrasso for his diligent efforts on this issue. We appreciate his work to ensure that the federal agencies don’t try to evade the appropriate processes and expand their authorities.

ADDITIONAL STATEMENTS

REMEMBERING TOM WILLIAMS, JR.

• Ms. LANDRIEU. Mr. President, today I wish to remember a great man and a wonderful friend, Mr. Tom Williams, Jr. Mr. Williams passed away on June 21, 2011, in Scottsdale, AZ, and leaves behind his wife Gloria; son Tom Williams, III; daughter Nicol Williams-Pruitt; son-in-law Jason Pruitt; and grandson Nicolas Pruitt. To Mr. Williams’ family, please accept my condolences for your loss.

Mr. Williams and I met through a shared passion for the advancement of America’s small businesses. In fact, Mr. Williams started his own small business in 1982 in Oakland, CA, an accounting firm called Williams, Adley & Company. In the beginning, Williams and Adley were the only two employees, but over the next few decades, they grew to be a three-office firm with two locations in California and one in Washington, DC. The firm now boasts over 100 employees.

In addition to his professional success, Mr. Williams has been a champion for small business-friendly legislation. He was a leader in changing the size standards for the accounting industry and fought tirelessly to improve access for small accounting firms to government contracts. Similarly, my colleagues in the Senate may remember language in the Small Business Jobs Act mandating annual reviews of the accounting firm size standards, a provision suggested by Mr. Williams.

Mr. Williams was also a pillar in his community. He helped establish the San Francisco Chapter of the National Association of Black Accountants,

NABA, served in a number of NABA positions, including president, and was awarded their Small Business Entrepreneur of the Year Award. He was also an active member of the California Society of Public Accountants.

But perhaps the best description of Mr. Williams comes from the motto of the very company he created: “Good people, doing great things.” Mr. Williams, you were indeed a good person who did great things. I sincerely thank you for all of your contributions. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:55 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1315. An act to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, and for other purposes.

H.R. 2551. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1315. An act to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2551. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2553. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes (Rept. No. 112-39).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 27. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 846. A bill to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1406. A bill to designate the United States courthouse under construction at 510 19th Street, Bakersfield, California, as the Myron Donovan Crocker United States Courthouse; to the Committee on Environment and Public Works.

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

S. 1407. A bill to amend title XVIII of the Social Security Act to establish accreditation requirements for suppliers and providers of air ambulance services, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1408. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Ms. COLLINS, Mr. LIEBERMAN, and Mr. BROWN of Massachusetts):

S. 1409. A bill to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG (for himself, Mr. TOOMEY, Mr. MENENDEZ, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. CASEY, Mr. LIEBERMAN, Mr. BLUMENTHAL, Mr. WEBB, Mr. WARNER, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr.

BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 237. A resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2011; considered and agreed to.

ADDITIONAL COSPONSORS

S. 242

At the request of Mr. ROCKEFELLER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 242, a bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau.

S. 742

At the request of Mr. BROWN of Ohio, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 742, a bill to amend chapters 83 and 84 of title 5, United States Code, to set the age at which Members of Congress are eligible for an annuity to the same age as the retirement age under the Social Security Act.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 834

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 834, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to cam-

pus sexual violence, domestic violence, dating violence, and stalking.

S. 838

At the request of Mr. TESTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 971

At the request of Mr. THUNE, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 971, a bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor 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. 1176

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1265

At the request of Mr. BINGAMAN, the names of the Senator from California (Mrs. BOXER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1297

At the request of Mr. BURR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1297, a bill to preserve State and institutional authority relating to State authorization and the definition of credit hour.

S. 1346

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1346, a bill to restrict the use of offshore tax havens and abusive tax shelters to inappropriately avoid Federal taxation, and for other purposes.

S. 1370

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr.

BEGICH) was added as a cosponsor of S. 1370, a bill to reauthorize 21st century community learning centers, and for other purposes.

S. 1395

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1395, a bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1408. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am very pleased to introduce today the Data Breach Notification Act of 2011.

This bill would require that consumers be notified when their sensitive personally identifiable information has been exposed in a data breach and also that law enforcement receive notice of major breaches of data security.

In 2003, California was the pioneer in requiring data breach notification. Forty-six States, the District of Columbia, Puerto Rico, and the Virgin Islands now have similar laws.

Consumers in all states deserve to benefit from these protections; businesses should not be subject to 46 different and at times conflicting laws; and Federal law enforcement critically needs to receive information about major breaches occurring across the country.

I have introduced data breach notification legislation in several prior Congresses. During the last Congress, that legislation, called the Data Breach Notification Act, S. 139, passed through the Judiciary Committee and was reported to the Senate floor. Unfortunately, the bill stalled there and went no further.

President Obama included similar data breach notification provisions in his broad cybersecurity proposal, released just last month.

The bill I am introducing today is identical to the bill I have introduced in the past. This legislation is long overdue and should finally be enacted now, during this Congress.

I have 3 points to make about this bill.

First, this bill will protect consumers, who need to know when their sensitive data has been exposed so they can take measures to protect themselves.

According to the Federal Trade Commission, between 8 and 10 million American consumers are victims of identity theft each year.

In April of 2007, a Zogby survey found that an astonishing 91 percent of adult users of the Internet said they were