

Whereas in the summer of 1852, individuals came to Brooklyn Center and cleared rich, tillable land to farm and build homes;

Whereas those industrious individuals quickly transformed Brooklyn Center into a prosperous farming community, where Minnesotans grew and gathered harvests that fed countless families throughout the region;

Whereas Brooklyn Center was incorporated as a village in 1911, became a city in 1967, and continues to be a community where all residents can feel proud to live, work, and raise their families;

Whereas Brooklyn Center has successfully balanced economic growth and business development with an enduring focus on family values and small town charm;

Whereas, as of the date of agreement to this resolution, Brooklyn Center boasts 522 acres of parks and nature centers, a first-rate education system, quality health care options, accessible transportation, and the historic Earle Brown Heritage Center; and

Whereas Brooklyn Center is a city with a proud history and a strong place in the heritage of the State of Minnesota and the United States: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Brooklyn Center, Minnesota on its 100th anniversary; and

(2) commends the Minnesotans who have made Brooklyn Center, Minnesota “A Great Place to Start and a Great Place to Stay”.

SENATE RESOLUTION 39—CONGRATULATING THE AUBURN UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2010 BOWL CHAMPIONSHIP SERIES NATIONAL CHAMPIONSHIP

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following resolution; which was considered and agreed to:

S. RES. 39

Whereas the Auburn University Tigers won the Tostitos Bowl Championship Series National Championship Game (referred to in this preamble as the “BCS National Championship Game”) in Glendale, Arizona, on January 10, 2011, in a thrilling victory over the University of Oregon Ducks with a score of 22 to 19;

Whereas the Auburn University Tigers earned their seventh Southeastern Conference title by defeating the University of South Carolina Gamecocks on December 5, 2010, with a score of 56 to 17;

Whereas the Auburn University Tigers finished the 2010 season with a perfect record of 14 wins and 0 losses;

Whereas the Auburn University Tigers won 6 games against nationally ranked opponents during the 2010 season;

Whereas the 2010 BCS National Championship Game marks the second national college football championship in the storied history of Auburn University;

Whereas the Auburn University football team earned its first national college football championship in the 1957 season, when the team was led by Coach Ralph “Shug” Jordan and quarterback Lloyd Nix;

Whereas the victory of the Auburn University Tigers in the 2010 BCS National Championship Game was the fifth consecutive BCS national championship won by a school in the Southeastern Conference;

Whereas in 2010, the Auburn University Tigers were led by quarterback Cam Newton, winner of the Heisman Trophy, the Maxwell Award, the Davey O’Brien Award, the Walter Camp Award, the Associated Press Player of the Year Award, and the Manning Award;

Whereas during the BCS National Championship Game, Lombardi Award winner Nick Fairley recorded 5 tackles, including 3 tackles for losses, 1 sack, and 1 forced fumble, and was named the Bowl Championship Series Defensive Player of the Game;

Whereas running back Michael Dyer rushed for 143 yards on 22 carries, including 57 yards on the game-winning drive, and was named the Bowl Championship Series Offensive Player of the Game;

Whereas Wes Byrum kicked a 19-yard field goal in front of 78,600 fans as time expired to break the 19 to 19 tie and win the game;

Whereas Gene Chizik, in his second season as head coach of the Auburn University football team, won the Associated Press Southeastern Conference Coach of the Year Award, the Home Depot Coach of the Year Award, the Liberty Mutual Coach of the Year Award, the Bobby Bowden National Collegiate Coach of the Year Award, and the Paul “Bear” Bryant Award;

Whereas Gene Chizik instilled character, integrity, and the values espoused in the Auburn Creed in his players and inspired the Auburn players, students, and fans throughout the season with the theme of “All In”;

Whereas offensive coordinator and quarterbacks coach Gus Malzahn was recognized as the top assistant coach in the country, receiving the 2010 Broyles Award for leading the offense of the 2010 Auburn University football team to single-season school records for total offensive yards, total rushing yards, and points scored;

Whereas the vision and leadership of President Jay Gogue and Athletic Director Jay Jacobs was instrumental in bringing academic and athletic success and national recognition to Auburn University;

Whereas the winning season of the 2010 Auburn University football team was also made possible by the leadership and service of past Auburn men such as George Petrie, John Heisman, Ralph “Shug” Jordan, Jim Fyffe, and James E. Foy;

Whereas the 2010 BCS National Championship Game was a victory not only for the 2010 Auburn University football team, but also for the great Auburn University football teams and players throughout the history of the program, including the undefeated teams of 1958, 1993, and 2004 and players Bo Jackson, Pat Sullivan, Tracy Rucker, Terry Beasley, Jason Campbell, Carnell Williams, Ronnie Brown, Ed Dye, and Quentin Riggins; and

Whereas the 2010 Auburn University football team has brought great honor to Auburn University, the Auburn University family, and the entire State of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Auburn University football team for winning the 2010 Bowl Championship Series National Championship;

(2) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication were instrumental in helping the Auburn University Tigers win the national championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the President of Auburn University, Dr. Jay Gogue;

(B) the Athletic Director of Auburn University, Jay Jacobs; and

(C) the Head Coach of the Auburn University football team, Gene Chizik.

SENATE RESOLUTION 40—CONGRATULATING THE UNIVERSITY OF AKRON MEN’S SOCCER TEAM ON WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I MEN’S SOCCER CHAMPIONSHIP

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

S. RES. 40

Whereas on December 12, 2010, the University of Akron men’s soccer team, known as the Zips, won the National Collegiate Athletic Association College Cup in Santa Barbara, California and became the first team to win a national title in the history of the University of Akron;

Whereas, with the victory over the previously undefeated and top-ranked University of Louisville Cardinals, the 2010 University of Akron men’s soccer team finished its historic championship season with a record of 22 wins, 1 loss, and 2 draws;

Whereas the 2010 University of Akron men’s soccer team has become a symbol of pride and success to the University of Akron and the communities in Northeast Ohio surrounding the University of Akron;

Whereas the athletic program of the University of Akron encourages student-athletes to compete on the field, complete degrees in the classroom, and become contributing members of society;

Whereas, each year, University of Akron student-athletes and coaches participate in community service activities;

Whereas the head coach of the University of Akron men’s soccer team, Caleb Porter, has won 1 national title and taken the men’s soccer team to 2 national championship games in the 2 years prior to date of the approval of this resolution;

Whereas associate head coach Jared Embick, assistant coach Oliver Slawson, and volunteer assistant coach Liam Curran played an important role in coaching the University of Akron men’s soccer team;

Whereas midfielder Scott Caldwell was named the most outstanding offensive player of the College Cup;

Whereas defender Kofi Sarkodie was named the most outstanding defensive player of the College Cup;

Whereas forward and midfielder Darlington Nagbe is a finalist for the Hermann Trophy, which is awarded to the best men’s collegiate soccer player in the United States;

Whereas 44 members of the University of Akron men’s soccer team have been named All-Americans, including 2 members from the 2010 season, defender Kofi Sarkodie and forward and midfielder Darlington Nagbe;

Whereas 12 members of the University of Akron men’s soccer team have been named Academic All-Americans, including 4 members from the 2010 season—defender Kofi Sarkodie, defender Chad Barson, goalkeeper David Meves, and midfielder Anthony Ampaipitakwong;

Whereas the 2010 University of Akron men’s soccer team was comprised of—

(1) 3 seniors—midfielder Anthony Ampaipitakwong, defender Chris Korb, and defender Enrique Paez;

(2) 5 juniors—midfielder Michael Balogun, midfielder and defender Matt Dagillis, forward and midfielder Darlington Nagbe, midfielder Michael Nanchoff, and defender Kofi Sarkodie;

(3) 7 sophomores—defender Chad Barson, midfielder Scott Caldwell, goalkeeper David Meves, goalkeeper Anthony Ponikvar, forward Thomas Schmitt, midfielder Ben Speas, and defender Zarek Valentin; and

(4) 9 freshmen—midfielder Reinaldo Brenes, forward Richard Diaz, Jr., forward Gabriel Genovesi, midfielder Perry Kitchen, forward Darren Mattocks, goalkeeper Andrian McAdams, midfielder Martin Ontiveros, midfielder Eric Stevenson, and forward McKauly Tulloch;

Whereas 11 members of the 2010 University of Akron men's soccer team hail from the State of Ohio; and

Whereas the University of Akron men's soccer team should be praised for its historic season of both athletic and academic accomplishments: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Akron men's soccer team on winning the National Collegiate Athletic Association Division I Men's Soccer Championship;

(2) recognizes the athletic program of the University of Akron for encouraging student-athletes to achieve in both sports and academics; and

(3) requests the Secretary of the Senate to transmit an enrolled copy of this resolution for appropriate display to—

(A) the University of Akron;

(B) Dr. Luis M. Proenza, the President of the University of Akron; and

(C) Caleb Porter, the head coach of the University of Akron men's soccer team.

AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 23. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 17 submitted by Mr. TOOMEY and intended to be proposed to the bill S. 223, supra; which was ordered to lie on the table.

SA 24. Mr. COCHRAN (for himself, Mr. PRYOR, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 25. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 26. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 27. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 28. Mr. LEVIN (for himself, Mr. INOUE, Mr. LEAHY, Mr. SANDERS, Mr. ROCKEFELLER, Mrs. FEINSTEIN, and Mrs. SHAHEEN) proposed an amendment to the bill S. 223, supra.

SA 29. Mr. NELSON of Nebraska (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 30. Mr. BROWN of Ohio (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 31. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 32. Mr. ENSIGN (for himself, Mr. CONRAD, and Mr. HOEVEN) submitted an

amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 33. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 34. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

SA 35. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 22. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, beginning on line 10, strike “for” and all that follows through “enplanements” on line 13 and insert “capped at 20 percent”.

SA 23. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 17 submitted by Mr. TOOMEY and intended to be proposed to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

(c) PRIORITY PAYMENT OF SOCIAL SECURITY BENEFITS.—Notwithstanding subsection (b), in the event that the debt of the United States Government, as so defined, reaches the statutory limit, the authority described in subsection (b) and the authority of the Commissioner of Social Security to pay monthly old-age, survivors', and disability insurance benefits under title II of the Social Security Act shall be given equal priority over all other obligations incurred by the Government of the United States.

SA 24. Mr. COCHRAN (for himself, Mr. PRYOR, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

SEC. ____ . AMENDMENT RELATING TO PEST CONTROL EXPLOSIVES.

(a) SPECIFIC EXEMPTION.—Section 845(a) of title 18, United States Code, is amended—

(1) in paragraph (5), by striking “and” after the semicolon;

(2) in paragraph (6), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(7) pest control pyrotechnics manufactured, imported, used, and stored in accordance with regulations issued by the Attorney General.”.

(b) EXEMPTION AUTHORITY.—Section 845 of title 18, United States Code, is amended by inserting at the end the following:

“(d) The Attorney General may exempt from all or a part of the provisions of this chapter explosive materials or explosive devices containing such materials when a determination is made, by regulation, that the explosive materials or explosive devices—

“(1) are of a type that does not pose a threat to public safety; and

“(2) are unlikely to be used as a weapon.”.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of enactment of this Act.

SA 25. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

SEC. 7 ____ . SUBSISTENCE USE OF NATURAL RESOURCES.

(a) DEFINITIONS.—Section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701) is amended by adding at the end the following:

“(45) BARTER.—The term ‘barter’ has the meaning given the term in section 100.4 of title 50, Code of Federal Regulations (or a successor regulation).

“(46) SUBSISTENCE COMMUNITY.—The term ‘subsistence community’ means an Indian tribe or other community in which there exists, as determined by the Secretary, a legitimate system of bartering natural resources taken for subsistence uses.

“(47) SUBSISTENCE USE.—The term ‘subsistence use’ has the meaning given the term in section 100.4 of title 50, Code of Federal Regulations (or a successor regulation).”.

(b) SUBSISTENCE USE.—Section 1002(b)(2) of the Oil Pollution Act of 1990 (33 U.S.C. 2702(b)(2)) is amended by striking subparagraph (C) and inserting the following:

“(C) SUBSISTENCE USE.—Damages for loss of subsistence use of natural resources, which shall be recoverable by—

“(i) any claimant who so uses natural resources that have been injured, destroyed, or lost, without regard to the ownership or management of the resources; or

“(ii) any subsistence community the bartering system of which is negatively affected by a discharge of oil.”.

(c) GULF COAST NATURAL RESOURCES.—Section 1006 of the Oil Pollution Act of 1990 (33 U.S.C. 2706) is amended by adding at the end the following:

“(h) GULF COAST NATURAL RESOURCES.—Not later than 30 days after the date of enactment of this subsection, for the purpose of making payments of damages described in section 1002(b)(2)(C), the Administrator of the Gulf Coast Claims Facility shall complete an assessment of subsistence communities (including the Vietnamese community) in the Gulf Coast region to determine the quantity and value of natural resources harvested and retained for bartering within each subsistence community.”.

SA 26. Mr. NELSON of Florida submitted an amendment intended to be