

Whereas, the President's Cancer Panel report released in May 2010 states "the true burden of environmentally induced cancers has been grossly underestimated," and the panel advised the President of the United States "to use the power of your office to remove the carcinogens and other toxins from our food, water, and air that needlessly increase health care costs, cripple our nation's productivity, and devastate American lives"; and

Whereas, workers in a range of industries are exposed to toxic chemicals which pose threats to their health, increasing worker absenteeism, workers' compensation claims, and health care costs that burden the economy; and

Whereas, a recent national poll found that 78 percent of American voters were seriously concerned about the threat to children's health from exposure to toxic chemicals in day-to-day life; and

Whereas, states bear an undue burden from toxic chemicals, including health care costs and environmental damages, disadvantaging businesses that lack information on chemicals in their supply chain, and increasing demands for state regulation; and

Whereas, the federal Toxic Substances Control Act of 1976 (TSCA; 15 U.S.C. Sec. 2601 et seq.), the primary governing federal statute, was intended to authorize the federal Environmental Protection Agency (EPA) to protect public health and the environment from toxic chemicals; and

Whereas, when TSCA was passed, about 62,000 chemicals in commerce were "grandfathered in" without any required testing for health and safety hazards or any restrictions on usage; and

Whereas, in the 35 years since the enactment of TSCA, the EPA has required chemical companies to test only about 200 of those chemicals for health hazards and has issued partial restrictions on only five chemicals; and

Whereas, TSCA has been widely recognized as ineffective and obsolete due to legal and procedural hurdles that prevent the EPA from taking quick and effective regulatory action to protect the public against well-known chemical threats; and

Whereas, a strong uniform federal standard would be beneficial to both consumers and businesses; and

Whereas, in January 2009, the United States General Accounting Office (GAO) added the EPA's regulatory program for assessing and controlling toxic chemicals to its list of "high risk" government programs that are not working as intended, finding that the EPA has been unable to complete assessments of chemicals of the highest concern. The EPA requires additional authority to obtain health and safety information from the chemical industry and to shift more of the burden to chemical companies to demonstrate the safety of their products. TSCA does not provide sufficient chemical safety data for public use by consumers, businesses, and workers and fails to create incentives to develop safer alternatives; and

Whereas, the National Conference of State Legislatures unanimously adopted a resolution in July 2009 that articulated principles for the reform of TSCA and called on Congress to act to update the law; and

Whereas, in August 2010, the Environmental Council of the States (ECOS), the national association of state environmental agency directors, unanimously adopted a resolution entitled "Reforming the Toxic Substances Control Act," which endorsed specific policy reforms; and

Whereas, ten states have come together to launch the Interstate Chemicals Clearinghouse (IC2) to coordinate state chemical information management programs, and a coal-

ition of 13 states issued guiding principles for TSCA reform; and

Whereas, seventy-one state laws on chemical safety have been enacted and signed into law in 18 states with broad bipartisan support over the last eight years; and

Whereas, California's policy leadership on chemical management, although outstanding, cannot substitute for congressional leadership to reform TSCA, a reform which all parties agree is urgently needed; and

Whereas, TSCA is the only major federal environmental statute that has never been updated or reauthorized; and

Whereas, legislation to substantially reform TSCA was introduced during the 109th Congress in 2005, the 110th Congress in 2008, and again in the 111th Congress in 2010; Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the California State Legislature urges the President and the 112th Congress of the United States to enact federal legislation to modernize the federal Toxic Substances Control Act of 1976 by strengthening chemical management through policy reforms that would do all of the following:

(a) Require producers and importers to perform comprehensive toxicity testing on their products and to fully disclose the results of their testing.

(b) Require producers and importers to disclose the identities of chemicals in their products.

(c) Require immediate action to reduce or eliminate the worst chemicals, including persistent, bioaccumulative, and toxic chemicals, which are known as PBTs, and other priority toxic chemicals, to which there is already widespread exposure.

(d) Preserve the authority of state and tribal governments to operate chemical management programs that are more protective than the programs established by the federal government.

(e) Establish health safety standards for chemicals that rely on the best available science to protect the most vulnerable, including children and the developing fetus.

(f) Support those chemical manufacturers that are striving to establish that all existing and new chemicals are not harmful to human health, and to provide essential health and safety information on chemicals to inform the market, consumers, and the public.

(g) Reward innovation by fast-tracking the approval of new, demonstrably safer chemicals, and invest in green chemistry research and workforce development to boost American business and spur jobs making safer alternatives.

(h) Promote environmental justice by developing action plans to reduce disproportionate exposure to toxic chemicals in "hot spots" communities;

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the President pro Tempore of the United States Senate, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 1547. A bill to reauthorize the Export-Import Bank of the United States, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

* Wendy Ruth Sherman, of Maryland, to be an Under Secretary of State (Political Affairs).

* Robert Stephen Ford, of Vermont, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Syrian Arab Republic, to which position he was appointed during the recess of the Senate from December 22, 2010, to January 5, 2011.

Nominee: Robert S. Ford.

Post: U.S. Embassy Bahrain.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Clare Alison Barkley: None.
3. Children and Spouses: None.
4. Parents: William Jack Ford—None. Marian Ford—None.
5. Grandparents: Deceased.
6. Brothers and Spouses: William E. Ford—None; Brian J. Ford—None.

Norman L. Eisen, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czech Republic, to which position he was appointed during the recess of the Senate from December 22, 2010, to January 5, 2011.

Nominee: Norman L. Eisen.

Post: Ambassador to the Czech Republic.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$28,500.00, 7/31/2008, Obama Victory Fund (Distributed \$1,150 to OFA, \$27,350 to DNC); \$2,300.00, 6/25/2008, Kissel for Congress; \$500.00, 6/18/2008, Friends of Jay Rockefeller; \$1,000.00, 6/12/2008, Pennsylvanians for Kanjorski; \$250.00, 3/27/2008, Al Franken for Senate; \$1,000.00, 3/15/2008, Berkowitz for Congress; \$1,000.00, 2/1/2008, Warner for Senate; \$1,150.00, 12/18/2007, Donna Edwards for Congress; \$1,150.00, 4/6/2007, Obama for America; \$2,300.00, 3/26/2007, Biden for President; \$2,300.00, 3/26/2007, Obama for President.
2. Spouse: M. Lindsay Kaplan: \$2,300.00, 6/25/2008, Kissel for Congress; \$2,000.00, 9/10/2008, Moveon.Org Political Action; \$1,150.00, 2/5/2008, Donna Edwards for Congress; \$1,000.00, 6/30/2007, Biden for President, Inc.; \$1,150.00, 4/6/2007, Obama for America; \$2,300.00, 3/6/2007, Obama for America.
3. Children and Spouses: Tamar Y. Eisen, none.
4. Parents: Frieda Eisen, none; Irvin Eisen—deceased.
5. Grandparents: All of my grandparents have been deceased for over 40 years.
6. Brothers and Spouses: Robert B. Eisen, none; Steven H. Eisen, none.
7. Sisters and Spouses: Not applicable.

* Francis Joseph Ricciardone, Jr., of Massachusetts, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America

to the Republic of Turkey, to which position he was appointed during the recess of the Senate from December 22, 2010, to January 5, 2011.

Nominee: Francis Joseph Ricciardone, Jr.
Post: U.S. Embassy Ankara.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Francesca Mara Ricciardone and Micah White: None. Chiara Teresa Ricciardone: None.
4. Parents: Francis J. Ricciardone, Sr., \$100, 2008, Republican National Committee. (Mother deceased).
5. Grandparents: Deceased.
6. Brothers and Spouses: Michael and Elizabeth Ricciardone, None; James and Lisa Ricciardone, None; David and Beverly Ricciardone, None.
7. Sisters and Spouses: Theresa Ricciardone and Peter Thayer, None; Marguerite Ricciardone and David R. Stone, \$100, 2/2010, Ellen Gibbs (D) (Selectman, Wellesley, MA).

*John A. Heffern, of Missouri, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Armenia.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Nominee: John Ashwood Heffern.

Post: United States Ambassador to Armenia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: 0.
2. Spouse: 0.
3. Children and Spouses: 0.
4. Parents: 0.
5. Grandparents: 0.
6. Brothers and Spouses: Christopher E. Heffern: \$200, 02/26/2008, Hillary Clinton (donor was sister-in-law Patricia Heffern).
7. Sisters and Spouses: Exact amounts unknown; those who donated anything at all claimed the amounts were negligible and were all for local candidates they did not disclose to me.

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 Mr. INHOFE:

S. 1545. A bill to designate Taiwan as a visa waiver program country under section 217(c) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 1546. A bill to authorize certain programs of the Department of Homeland Security, and for other purposes; to the Com-

mittee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON of South Dakota:

S. 1547. A bill to reauthorize the Export-Import Bank of the United States, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. JOHNSON of South Dakota:

S. 1548. A bill to extend the National Flood Insurance Program until December 31, 2011; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REID (by request):

S. 1549. A bill to provide tax relief for American workers and businesses, to put workers back on the job while rebuilding and modernizing America, and to provide pathways back to work for Americans looking for jobs; read the first time.

By Mr. BROWN of Ohio (for himself and Mr. REED):

S. 1550. A bill to establish the National Infrastructure Bank to provide financial assistance for qualified infrastructure projects selected by the Bank, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KIRK (for himself, Mr. ALEXANDER, Mr. RUBIO, and Mr. WYDEN):

S. 1551. A bill to establish a smart card pilot program under the Medicare program; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. DURBIN, Mr. ROCKEFELLER, Mr. MANCHIN, and Mr. PORTMAN):

S. Res. 261. A resolution designating the month of October 2011 as "National Medicine Abuse Awareness Month"; to the Committee on the Judiciary.

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

S. Res. 262. A resolution designating the week beginning on September 12, 2011, and ending on September 16, 2011, as "National Health Information Technology Week" to recognize the value of health information technology in improving health quality; considered and agreed to.

By Mr. NELSON of Nebraska (for himself and Ms. COLLINS):

S. Res. 263. A resolution designating the week beginning September 11, 2011, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

By Mr. PRYOR (for himself and Mr. BOOZMAN):

S. Res. 264. A resolution designating September 12, 2011, as "National Day of Encouragement"; considered and agreed to.

By Mr. NELSON of Florida (for himself and Mr. RUBIO):

S. Res. 265. A resolution honoring the lifetime achievements of E. Thom Rumberger; considered and agreed to.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 274

At the request of Mrs. HAGAN, the names of the Senator from New York

(Mrs. GILLIBRAND) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1009

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1009, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Illinois (Mr. DURBIN) 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. 1060

At the request of Mr. BLUMENTHAL, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1060, a bill to improve education, employment, independent living services, and health care for veterans, to improve assistance for homeless veterans, and to improve the administration of the Department of Veterans Affairs, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1299

At the request of Mr. MORAN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for