

building while serving detention. Regardless of whether or not this is true, the building powerfully tells the story of racial segregation in America, PS 103 was a “blacks only” school when Justice Marshall was a student there, and the rise of one of the country’s paramount thinkers and pioneers in the civil rights movement.

The building is located at 1315 Division Street in the Upton Neighborhood of Old West Baltimore. The building is part of the Old West Baltimore National Register Historic District, and is listed as a contributing historic resource for the neighborhood. The Old West Baltimore historic district is one of the largest predominately African American historic districts in the country, and its significance is centered on the African American experience in the area.

In Baltimore, we are fortunate to have the National Park Service operate two historical sites, Fort McHenry and the Hampton Mansion. Adding PS 103 is a unique opportunity for the National Park Service to work in Baltimore’s inner-city and to expand its ability to engage people around African American history.

Needless to say, Thurgood Marshall’s legacy is one that should be preserved. He was one of our country’s greatest legal minds and a prominent historical figure of one chapter of our country’s great history—the civil rights movement. This bill authorizes the Secretary of the Interior to conduct a special resource study of PS 103 to evaluate the suitability and feasibility of establishing the building as a unit of the National Park Service. Preserving the building that was Justice Marshall’s elementary school will give Americans insight into Justice Marshall’s childhood.

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. 1638

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 “Thurgood Marshall’s Elementary School Study Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **STUDY AREA.**—The term “study area” means P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth.

SEC. 3. SPECIAL RESOURCE STUDY.

(a) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(b) **CONTENTS.**—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the

study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals;

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives; and

(6) identify any authorities that would compel or permit the Secretary to influence local land use decisions under the alternatives.

(c) **APPLICABLE LAW.**—The study required under subsection (a) shall be conducted in accordance with section 8 of Public Law 91–383 (16 U.S.C. 1a–5).

(d) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of the study; and

(2) any conclusions and recommendations of the Secretary.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 285—SUPPORTING THE GOALS AND IDEALS OF WORLD HABITAT DAY, OCTOBER 3, 2011

Mr. KERRY (for himself, Mr. CARDIN, Mr. DURBIN, and Mr. AKAKA) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 285

Whereas the United Nations has designated the first Monday of October every year as World Habitat Day, and the theme of 2011 World Habitat Day is Cities and Climate Change;

Whereas World Habitat Day calls on global citizens to reflect on the state of our towns and cities and the importance of adequate shelter and serves as a reminder of our collective responsibility for the future of the human habitat;

Whereas approximately 51 percent of the world’s population currently lives in cities of all sizes and produces the majority of the world’s economic output;

Whereas projections indicate that ⅔ of the world’s population will reside in cities just over a generation from now;

Whereas approximately 1,000,000,000 people currently live in slums, and more than half of this population is under the age of 25;

Whereas it is estimated that, by 2030, the number of people living in slums will double;

Whereas, according to the Center for Disease Control and Prevention, approximately 884,000,000 people lack adequate access to safe water, and nearly 50 percent of the developing world’s population, over 2,500,000,000 people, lack access to sanitation services;

Whereas the Center for Disease Control and Prevention estimates that unsafe drinking water, inadequate sanitation, and poor hygiene contribute to the deaths of more than 1,500,000 children younger than 5 years of age per year;

Whereas, according to the World Bank, more than 1,400,000,000 people still live without electricity, a critical component of economic growth and development;

Whereas insecure lease and real property ownership tenure often subject slum dwellers

to arbitrary, supra-market rents, forced evictions, threats, and harassment;

Whereas insecurity of land and property tenure severely inhibits economic development by undermining investment incentives and constraining the growth of credit markets, imperils the ability of families to achieve sustainable livelihoods and assured access to shelter, and often contributes to conflict over property rights;

Whereas women are affected disproportionately by forced evictions and insecure tenure as a result of gender-based discrimination, often including gender-biased laws that define women as legal minors or otherwise prevent them from acquiring and securing land, property, and housing lease or ownership rights, making them more vulnerable to poverty, violence, and sexual abuse;

Whereas many of the world’s large cities are located in low-lying coastal areas that are more susceptible to environmental events and face serious threats from the effects of climate change such as storm surges;

Whereas the slum dwellers in low-lying coastal cities are disproportionately affected by disasters;

Whereas, according to the International Organization for Migration, there could be up to 200,000,000 environmentally-induced migrants by 2050, many of whom will be forced from their homes by rising sea levels and the increased frequency of flooding or drought, thereby challenging the security of the United States and United States allies;

Whereas adequate housing and universal access to basic shelter serve as catalysts for economic, social, and democratic development in the United States and elsewhere;

Whereas international organizations, faith-based groups, and nonprofits are working towards providing safe, affordable, and decent shelter for all; and

Whereas the 2006 National Security Strategy states, “America’s national interests and moral values drive us in the same direction: to assist the world’s poor citizens and least developed nations and help integrate them into the global economy”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Habitat Day; and

(2) reflects on the state of our cities and towns and the importance of adequate shelter and is reminded of our shared responsibility for the future of the human habitat;

(3) underscores the importance of a sustainable urban development strategy that—

(A) promotes equitable access to—

(i) basic shelter and affordable housing, particularly by residents of slums and informal settlements and similar densely populated, impoverished urban areas; and

(ii) safe water and sanitation;

(B) promotes gender equality and women’s empowerment;

(C) supports access to sustainable and renewable sources of energy;

(D) employs innovative approaches to urban development challenges;

(E) leverages United States Government resources through collaborative partnership with foreign governments, intergovernmental organizations, private sector entities, and nonprofit and community-based organizations;

(F) operates to a scale that ensures sustainability;

(G) addresses current and future effects of climate change on cities; and

(H) improves environmental sustainability in urban areas; and

(4) encourages the leaders and citizens of cities, which are the source of, and solution to, many of the world’s development challenges, to build upon their successful experiences and develop more ambitious goals for

urban sustainable development at the upcoming United Nations Conference on Sustainable Development to be held June 4-6, 2012, in Rio de Janeiro, Brazil.

AMENDMENTS SUBMITTED AND PROPOSED

SA 669. Mr. MERKLEY (for himself, Mr. ENZI, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 1619, to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 669. Mr. MERKLEY (for himself, Mr. ENZI, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 1619, to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ MANDATORY DISCLOSURE BY THE UNITED STATES IF MEMBERS OF THE WORLD TRADE ORGANIZATION FAIL TO DISCLOSE SUBSIDIES UNDER THE AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES.

(a) IN GENERAL.—The United States Trade Representative shall—

(1) review each notification of subsidies submitted under Article 25 of the Agreement on Subsidies and Countervailing Measures by a member of the World Trade Organization with which the United States maintains a material and persistent trade deficit;

(2) identify any such member that, for 2 consecutive years—

(A) fails to submit such a notification; or

(B) omits information or includes inaccurate information in such a notification that is material with respect to the totality of the subsidies of the member; and

(3) notify the Committee on Subsidies and Countervailing Measures under Article 25 of the Agreement on Subsidies and Countervailing Measures of the subsidies of a member identified under paragraph (2) not later than 180 days after—

(A) in the case of a member identified under paragraph (2)(A), the date on which the second notification not submitted by the member was required to be submitted; or

(B) in the case of a member identified under paragraph (2)(B), the date of the submission of the second notification in which the information was omitted or the inaccurate information was included, as the case may be.

(b) AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES DEFINED.—The term “Agreement on Subsidies and Countervailing Measures” means the Agreement on Subsidies and Countervailing Measures referred to in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(12)).

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy

and Natural Resources. The hearing will be held on Tuesday, October 4, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the Secretary of Energy Advisory Board’s Shale Gas Production Subcommittee’s 90-day report.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Abigail_Campbell@energy.Senate.gov.

For further information, please contact Allyson Anderson at (202) 224-7143 or Abigail Campbell at (202) 224-1219.

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, October 6, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “Internet Infrastructure in Native Communities: Equal Access to E-Commerce, Jobs and the Global Marketplace.”

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, “Excessive Speculation and Compliance with the Dodd-Frank Act.” The Subcommittee plans to hold a hearing on speculation in the commodities markets and implementation of the Dodd-Frank Act’s provisions on speculative position limits for futures, options, and swap contracts for oil and other commodities. Hearing witnesses will include a panel of experts and the Chairman of the Commodity Futures Trading Commission.

The Subcommittee hearing has been scheduled for Thursday, October 6, 2011, at 9:30 a.m., in room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

PRIVILEGES OF THE FLOOR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the following members of my staff and the committee staff be granted the privilege of the floor during consideration of S. 1619: Jane Beard, Sarah Babcock, Danielle Fidler, Sara Harshman, Madeline Forbis, Laura Jaskierski, Stephen Simpson, Jonathan Goldman, Cosimo Thawley, and Miranda Dalpiaz. The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SMALL BUSINESS PROGRAM EXTENSION AND REFORM ACT

On Monday, September 26, 2011, the Senate agreed to the motion to concur to the amendment of the House to the amendment of the Senate to H.R. 2608, with an amendment, as follows:

H.R. 2608

Resolved, That the bill from the House of Representatives (H.R. 2608) entitled “An Act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.”, do pass with the following Senate amendment to House amendment to Senate amendment:

In lieu of the matter proposed to be inserted by the House amendment to Senate amendment, insert the following:

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2012, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2011 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2011, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Department of Defense Appropriations Act, 2011 (division A of Public Law 112-10).

(2) The Full-Year Continuing Appropriations Act, 2011 (division B of Public Law 112-10).

(b) The rate for operations provided by subsection (a) is hereby reduced by 1.503 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for (1) the new production of items not funded for production in fiscal year 2011 or prior years; (2) the increase in production rates above those sustained with fiscal year 2011 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2011.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2011.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or