At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1726, supra.

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 1726, supra.

AMENDMENT NO. 750

At the request of Mr. WEBB, the names of the Senator from Delaware (Mr. COONS) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 750 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 753

At the request of Mr. BROWN of Massachusetts, his name was added as a cosponsor of amendment No. 753 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 771

At the request of Mr. BINGAMAN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Pennsylvania (Mr. CASEY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Michigan (Mr. LEVIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 771 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 815

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 815 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 817

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Minnesota (Mr. FRANKEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Vermont (Mr. SANDERS) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 817 intended to be proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 839

At the request of Mr. CONRAD, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Missouri (Mr. BLUNT) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of amendment No. 839 intended to be proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 841

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of amendment No. 841 intended to be proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 855

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of amendment No. 855 intended to be proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 857

At the request of Mr. MENENDEZ, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of amendment No. 857 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 859

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 859 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 869

At the request of Mrs. GILLIBRAND, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 869 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 875

At the request of Mr. HATCH, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Louisiana (Mr. VITTER), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Alaska (Mr. BEGICH), the Senator from North Carolina (Mr. BURR), the Senator from Wyoming (Mr. ENZI), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Wyoming (Mr. BARRASSO) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 875 intended to be proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 885

At the request of Mr. BEGICH, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Utah (Mr. LEE) were added as cosponsors of amendment No. 885 intended to be proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 886

At the request of Mr. BAUCUS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 886 intended to be proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 890

At the request of Mr. BURR, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of amendment No. 890 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

AMENDMENT NO. 893

At the request of Ms. CANTWELL, the names of the Senator from Washington (Mrs. MURRAY), the Senator from California (Mrs. BOXER), the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 893 proposed to H.R. 2112, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FRANKEN (for himself and Mr. TESTER):

S. 1741. A bill to amend the Internal Revenue Code of 1986 to provide an investment tax credit for community wind projects having generation capacity of not more than 20 megawatts, and for other purposes; to the Committee on Finance.

Mr. FRANKEN. Mr. President, today I am introducing the Community Wind

Act with my friend and colleague Senator TESTER from Montana.

Rural renewable energy development has been one of my top priorities since coming to the Senate. America's rural communities have some of our country's most abundant renewable energy resources, and I strongly believe that community-owned renewable energy projects are among the most promising drivers of economic development in our rural communities.

Minnesota has a lot of wind. In the past decade, communities across southwestern Minnesota have been transformed by wind power, with turbines producing renewable energy to power homes and businesses across the midwest. These projects are helping Minnesota meet its ambitious goal of obtaining 25 percent of its electricity from renewable sources by 2025. As we look to develop more renewables in Minnesota and across the country, I want to make sure that rural communities are reaping the maximum benefit from these projects.

That is why community wind is so powerful. When a wind project has some level of local ownership, studies have shown that the project will have higher local economic impact than conventional projects. That is because profits from the project flow to members in the community. Those profits are then reinvested in the community, fueling economic activity that wouldn't have otherwise happened.

Like many small and distributed energy projects, community wind projects face unique challenges when compared to conventional wind, ranging from difficulties accessing financing to the inability to take full advantage of Federal tax benefits. Despite these barriers, community wind projects have devised innovative financing structures to move forward with projects across the country. However, like the larger wind industry, community wind still faces great uncertainty with the looming expiration of the federal production tax credit for wind at the end of 2012.

Our bill provides long-term certainty to community wind over the next 5 years by expanding the existing small wind Investment Tax Credit to projects with capacity up to 20 MW. There is no restriction on turbine size, and the bill prevents the subdivision of large wind projects to game the system and claim the credit.

This bill has support from a diverse group of stakeholders, including the American Wind Energy Association to the National Farmers Union, the Minnesota Farmers Union, the Minnesota Corn Growers, the Minnesota Soybean Growers, a broad coalition of Minnesota and national small and community wind developers, and rural businesses and nonprofits across the country. I am proud to introduce this legislation with Senator TESTER today, and I look forward to working with my colleagues from both sides of the aisle to garner support for its 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. 1741

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 ''Community Wind Act''.

SEC. 2. INVESTMENT TAX CREDIT FOR COMMUNITY WIND PROJECTS HAVING GENERATION CAPACITY OF NOT MORE THAN 20 MEGAWATTS.

(a) IN GENERAL.—Paragraph (4) of section 48(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) IN GENERAL.—The term 'qualified small wind energy property' means—

''(i) property which uses a qualifying small wind turbine to generate electricity, or

''(ii) property which uses 1 or more wind turbines with an aggregate nameplate capacity of more than 100 kilowatts but not more than 20 megawatts.'', and

(2) by redesignating subparagraph (C) as subparagraph (D) and by inserting after subparagraph (B) the following new subparagraph:

''(C) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to prevent improper division of property to attempt to meet the limitation under subparagraph (A)(ii).''.

(b) DENIAL OF PRODUCTION CREDIT.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking the period at the end and inserting ''or any facility which is a qualified small wind energy property described in section 48(c)(4)(A)(ii) with respect to which the credit under section 48 is allowable.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. SANDERS, and Ms. SNOWE):

S. 1742. A bill to amend title 18, United States Code, to prohibit fraudulently representing a product to be maple syrup; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased to be joined by Senators COLLINS, SCHUMER, SANDERS and GILLIBRAND as we introduce this legislation to hold accountable those criminals who fraudulently sell what they call ''maple'' syrup.

Vermont iconic maple syrup—painstakingly produced, and prized across the Nation and beyond—is one of our state's fine, high-quality, natural products. I have been alarmed by the growing number of individuals and businesses claiming to sell genuine Vermont maple syrup when they are in fact selling an inferior product that is not maple syrup at all. This is fraud, plain and simple, and it undermines a key part of Vermont's economy and reputation for quality that has been hard-earned through Vermonters' hard work. I know that diligent syrup producers in Maine, New York, and other States have been similarly hurt by this crime. Our bill, the Maple Agriculture Protection and Law Enforcement, or ''MAPLE''Act, will deter this criminal conduct.

The MAPLE Act creates a felony offense with a 5-year maximum penalty for fraudulently selling a product purported to be maple syrup that is not, in fact, maple syrup. Under current law, doing so is only a misdemeanor offense with a one year penalty.

The sale of fraudulent maple syrup is a real problem facing consumers and producers. Recently, Vermont U.S. Attorney Tris Coffin sought an indictment after a Food and Drug Administration investigation revealed that a Rhode Island man had been selling cane sugar-based syrup as ''maple'' syrup and representing to consumers that the syrup was authentic. The legislation we introduce today will more effectively protect consumers and the maple industry by punishing and deterring this deceptive conduct.

Vermonters, and consumers across the country, should be confident that when they buy food, they know exactly what they are getting. The fines that may result from criminal violations under current law are often not enough to protect the public from harmful or fraudulent products. Too often, those who are willing to endanger our livelihoods in pursuit of their profits see fines as just a cost of doing business. We need to make sure that those who intentionally deceive consumers get a trip to jail, not a slap on the wrist. Schemers should not easily be able to sully the seal of quality that is associated with genuine Vermont maple syrup.

I have a longstanding commitment to comprehensive food safety and food integrity reforms, and our work is not done. Earlier this year, the Senate unanimously passed my Food Safety Accountability Act, which would hold those criminals who intentionally poison our food supply accountable for their crimes. I urge the House to pass that noncontroversial bill, and I hope that all Senators will join us in supporting the MAPLE Act.

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. 1742

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 ''Maple Agriculture Protection and Law Enforcement Act of 2011'' or the ''MAPLE Act''.

SEC. 2. FRAUDULENTLY REPRESENTING A PRODUCT AS MAPLE SYRUP.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1041. Fraudulently representing a product as maple syrup

''(a) DEFINITION.—In this section, the term 'maple syrup' means a liquid food—

''(1) derived by—

''(A) concentration and heat treatment of the sap of a species of tree in the genus Acer (commonly known as 'maple trees'); or

''(B) solution in water of maple sugar (commonly know as 'maple concrete') made from the sap of a species of tree in the genus Acer;

''(2) that is not less than 66 percent by weight of soluble solids derived solely from the sap of a species of tree in the genus Acer; and

''(3) the concentration of which may be adjusted by adding water.

''(b) OFFENSE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any person to knowingly and willfully introduce or deliver for introduction into interstate commerce a product that is labeled as maple syrup and that is not maple syrup.

''(2) EXCEPTION.—Paragraph (1) shall not apply to a product labeled as maple syrup that is not maple syrup if the label also includes a clear identification of the true nature of the product.

''(c) PENALTY.—Any person that violates subsection (b) shall be fined under this title, imprisoned for not more than 5 years, or both.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''1041. Fraudulently representing a product as maple syrup.''.

By Mr. HOEVEN (for himself, Mr. CONRAD, Mr. ENZI, Ms. LANDRIEU, Mr. BOZMAN, Mr. NELSON of Nebraska, Mr. PORTMAN, Mr. MANCHIN, Mr. THUNE, and Mr. ROCKEFELLER):

S. 1751. A bill to amend subtitle D of the Solid Waste Disposal Act to facilitate recovery and beneficial use, and provide for the proper management and disposal, of materials generated by the combustion of coal and other fossil fuels; to the Committee on Environment and Public Works.

Mr. HOEVEN. Mr. President, I rise to speak on the issue of job creation as well, specifically in regard to legislation I will be introducing that seeks to not only create jobs but also to truly reduce the cost of electricity to Americans throughout this country.

In North Dakota, we have a powerplant north of our State capitol, the city of Bismarck. It is about 1,100 megawatts. It consists of two separate plants, each of them 550 megawatts, so the complex provides 1,100 megawatts of electricity, power that fuels our State, as well as sending power to Minnesota and other places as well. This plant uses the latest in emission control technology. It is state of the art.

We also have an ethanol plant attached to the powerplant, so the waste steam that comes off the powerplant is used to power the ethanol plant to make low-cost transportation fuel as well.

In addition to those things, another innovation at this plant is that after they produce the electricity, they take hundreds of thousands of tons of coal ash and, rather than landfilling it, they actually reuse it, and they use it to make concrete—they call it FlexCrete—for highways, they use it in building materials, and they even use it in products such as the shingles we use on our roofs.

Formerly, this plant paid about $4 million a year to landfill that coal ash. Now they sell it for all these products and generate around $12 million a year in revenue. If you take the $4 million they used to expend to landfill the material, figure in the $12 million they now make selling the product, that is a $16 million revenue benefit to the plant. That means a $16 million reduction in the cost of electricity to their customers throughout North Dakota and Minnesota.

At the same time, because they have partnered with a company out of Utah called Headwaters, right there at the complex they also have a facility that manufactures these building products, FlexCrete, and creates good-paying jobs as well.

Today I rise to introduce commonsense, bipartisan legislation—a jobs bill, if you will—the Coal Residuals Reuse and Management Act. In fact, this legislation has already passed the House of Representatives with a large bipartisan majority.

In a true example of American ingenuity and innovation, entrepreneurs around the country are recycling coal ash. Millions of Americans now work in buildings that are either partially constructed from coal ash-strengthened building materials or they drive home from work on roads and over bridges that are made of coal ash concrete or, as I said, they live under roofs that are shingled, and those shingles are made out of this coal residuals material. In fact, in my home State of North Dakota, we have both our Heritage Center, which is under construction now, and also the National Energy Center of Excellence that were constructed with these materials.

First, this National Energy Center of Excellence, this is the Bismarck State College. They specialize in energy programs. This facility overlooks the Missouri River and it is about a $20-plus million facility. It is absolutely beautiful, and it is made with the coal residual building materials.

On this other slide, right now this facility is under construction. This will be a more than $50 million facility, which is, in essence, a museum and a heritage center for the State of North Dakota. The building materials in this state-of-art facility will have both static and interactive displays and is being built with what is called coal ash—but coal residual materials. These are materials coming out of powerplants that were formerly simply landfill, and now we are using them for all these purposes. The important point is, we need to be able to continue to do that. That is exactly why I am introducing this legislation.

It turns out that using this natural byproduct of coal combustion not only makes our buildings and infrastructure stronger, it makes homes, businesses, and highways more affordable to build. It also creates hundreds of thousands of jobs in the process, while using this cost-effective material.

Meanwhile, by using coal ash in such an innovative manner, it is estimated the overall energy consumption in this country can be reduced by 162 trillion Btu's, British thermal units, and that water usage is reduced annually by 32 billion gallons a year. That is the equivalent of the amount of energy used by 1.7 million homes a year and the amount of water—actually one-third of the amount of water used in the entire State of California each year. So we can see from a conservation standpoint what an incredible impact using these materials has.

Unfortunately, the EPA is now considering whether to overturn 30 years of precedent and regulate coal ash as a hazardous material, despite findings from the Department of Energy, the Federal Highway Administration, and State regulatory agencies throughout the country, as well as EPA itself. EPA's own studies show the toxicity level in coal ash is well below the criteria that requires any type of hazardous waste designation.

In fact, the EPA's May 2000 regulatory determination—in that determination they concluded that coal ash does not warrant regulation as hazardous waste and that doing so would be environmentally counterproductive. However, new regulations first proposed in June of 2010 would create a stigma for coal ash recycling and expose it to frivolous lawsuits that could undermine the industry, cost thousands of jobs, and take billions of dollars out of our economy at a time when working families can least afford it. But the damage to American's pocketbooks would not just stop with the undermining of this recycling industry.

It is estimated that meeting the regulatory disposal requirements under the EPA's subtitle C proposal would cost between $250 and $450 per ton, as opposed to about $100 per ton under the current system. That could mean up to another $50 billion in costs, a burden on our electricity generators that use coal and, most important, customers—American families, businesses, and farmers—again, Americans throughout this great country.

It is also estimated this regulation by EPA, this proposal, could mean the loss of more than 300,000 American jobs. That is why I have at the desk the Coal Residuals Reuse and Management Act, which I am introducing today, along with Senator KENT CONRAD, Senator MICHAEL ENZI, Senator MARY LANDRIEU, Senator ROB PORTMAN, Senator BEN NELSON, Senator JOE MANCHIN, and also Senator JOHN BOOZMAN; four Republicans and four Democrats. This is truly a bipartisan piece of legislation.

As I said, it is a companion to H. Res. 2273 that passed the U.S. House of Representatives last Friday with strong—and I emphasize strong—bipartisan support. It takes a commonsense approach to ensuring we can continue

this vital industry and, in fact, build it, save millions of dollars for American consumers and create hundreds of thousands of jobs.

This bill not only preserves coal ash recycling by preventing the byproducts from being treated as hazardous, it establishes Federal standards for coal ash disposal. Under this legislation, States can set up their own permitting programs for the management and disposal of coal ash. These programs would be required to be based on existing EPA regulations to protect human health and the environment. If a State does not implement an acceptable permit program, then the EPA regulates the program for that State.

Importantly, States will know where they stand under this bill since the benchmark for what constitutes a successful State program is set in statute. EPA can say: Yes, the State does meet these standards or, no, it doesn't. But EPA cannot move the goalposts. This is a State's first approach that provides regulatory certainty. What is certain is, under this bill, coal ash disposal sites will be required to meet established standards. These include groundwater detection and monitoring, liners, corrective action when environmental damage occurs, structural stability criteria and financial assurance and the recordkeeping needed to protect the public.

The Coal Residual Reuse and Management Act is legislation needed to protect jobs and help reduce the cost of home and road construction and electric bills.

I wish to thank both the Republicans and the Democrats who have taken a leadership role and are joining me in cosponsoring this legislation. I particularly wish to thank my fellow Senator from North Dakota, Mr. KENT CONRAD. I urge our colleagues to join us and support this important measure.

By Mr. KIRK (for himself, Mr. BROWN of Massachusetts, Mr. CARDIN, and Mr. KERRY)

S. 1753. A bill to require operators of Internet websites that provide access to international travel services and market overseas vacation destinations to provide on such websites information to consumers regarding the potential health and safety risks associated with traveling to such vacation destinations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. KIRK. Mr. President, I rise today to introduce the bi-partisan International Travelers Bill of Rights of 2011 with my colleagues Senators Scott Brown, Ben Cardin, and John Kerry. It is critical that consumers are able to make fully informed decisions, especially with regard to health and safety, as more Americans use the Internet to book overseas travel.

This effort is on behalf of my constituent, Nancy Midlock of Shorewood, Illinois, whose family suffered a great tragedy when her 8-year old son, Brent, drowned in a hotel pool, while on vacation in Mexico. If Ms. Midlock had been aware that this particular hotel did not offer adequate emergency care, perhaps she would have chosen to stay at another location where such services were offered.

Because of this, I feel strongly that websites must do their best to make sure travelers are aware of the available onsite health and safety services before they book. If a hotel can provide details about their fitness center, golf courses, and high speed Internet, it can certainly indicate if there is a lifeguard on duty.

This bipartisan legislation requires website operators to display the available health and safety information of their overseas destinations. This includes Department of State travel warnings, the availability of a nurse or physician on the premises, and the presence of a lifeguard on duty. Additionally, the Department of State is required to update the record of Deaths of US Citizens Aboard by Non-Natural Causes on a monthly basis with increased granularity.

Finally, several provisions will ensure that the travel industry is not burdened with impractical regulations. Website operators will have one year to request and display the necessary information, if available, and are protected from unfair lawsuits. Online travel websites provide an important service to many of us, and I look forward to working with them on behalf of all Americans. This bill is an important first step to ensure Americans are informed, prepared, and ultimately more aware, global travelers.

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. 1753

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 ''International Travelers Bill of Rights Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) COVERED WEBSITE OPERATOR.—The term ''covered website operator'' means an individual or entity that operates an Internet website that provides access to international travel services. Such term includes an overseas vacation destination or a third party that operates an Internet website that offers international travel services.

(3) INTERNATIONAL TRAVEL SERVICES.—The term ''international travel services'' means a service that a consumer can use to reserve lodging at an overseas vacation destination.

(4) OVERSEAS VACATION DESTINATION.—The term ''overseas vacation destination'' means a resort, hotel, retreat, hostel, or any other similar lodging located outside the United States.

(5) UNITED STATES.—The term ''United States'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 3. PROVIDING INFORMATION REGARDING THE POTENTIAL HEALTH AND SAFETY RISKS ASSOCIATED WITH OVERSEAS VACATION DESTINATIONS.

(a) IN GENERAL.—A covered website operator shall provide to consumers information on the Internet website of the covered website operator, in a manner the website operator considers appropriate, regarding the potential health and safety risks associated with overseas vacation destinations marketed on such website, if any, including the following:

(1) Information compiled by the Department of State, including Department of State country-specific travel warnings and alerts.

(2) Information regarding the onsite health and safety services that are available to consumers at each overseas vacation destination, including whether the destination—

(A) employs or contracts with a physician or nurse on the premises to provide medical treatment for guests;

(B) employs or contracts with personnel, other than a physician, nurse, or lifeguard, on the premises who are trained in cardiopulmonary resuscitation;

(C) has an automated external defibrillator and employs or contracts with 1 or more individuals on the premises trained in its use; and

(D) employs or contracts with 1 or more lifeguards on the premises trained in cardiopulmonary resuscitation, if the overseas vacation destination has swimming pools or other water-based activities on its premises, or in areas under its control for use by guests.

(b) SERVICES NOT AVAILABLE 24 HOURS A DAY.—If the onsite health and safety services described in subsection (a)(2) are not available 24 hours a day, 7 days a week, a covered website operator who provides information about such services under subsection (a) shall display the hours and days of availability on its Internet website in a manner the covered website operator considers appropriate.

(c) MINIMUM REQUIREMENT FOR OBTAINING INFORMATION.—If a covered website operator does not possess, with respect to an overseas vacation destination, information about the onsite health and safety services required to be displayed on its Internet website under subsection (a), the covered website operator shall, at a minimum, request such information from such destination.

(d) INFORMATION NOT AVAILABLE.—If onsite health and safety services described in subsection (a)(2) are not available at an overseas vacation destination, or if a covered website operator does not possess information about the onsite health and safety services required to be displayed on its Internet website under subsection (a), the covered website operator shall display on the Internet website of the website operator, in a manner the website operator considers appropriate, the following: ''This destination does not provide certain health and safety services, or information regarding such services is not available.''.

(e) IMMUNITY.—A covered website provider shall not be liable in a civil action in a Federal or State court relating to inaccurate or incomplete information published under subsection (a) regarding an overseas vacation destination that is not owned or operated by the covered website provider if—

(1) such information was provided by the overseas vacation destination; and

(2) the covered website provider published such information without knowledge that such information was inaccurate or incomplete, as the case may be.

SEC. 4. ENFORCEMENT BY FEDERAL TRADE COMMISSION.

(a) UNFAIR OR DECEPTIVE ACTS OF PRACTICES.—A violation of this Act shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(b) POWERS OF COMMISSION.—The Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(c) DEADLINE FOR ISSUANCE OF REGULATIONS.—The Commission shall prescribe regulations to carry out this Act not later than 1 year after the date of the enactment of this Act.

SEC. 5. DEPARTMENT OF STATE RECORDS OF OVERSEAS DEATHS OF UNITED STATES CITIZENS FROM NON-NATURAL CAUSES.

(a) INCREASED GRANULARITY OF DATA COLLECTED.—Subsection (a) of section 57 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2729) is amended by striking paragraph (2) and inserting the following:

''(2) The location of where the death occurred, including the address of the location, the name of the property where the death occurred, and the state or province and municipality of such location, if available.''.

(b) INCREASED FREQUENCY OF PUBLICATION.—Subsection (c) of such section is amended by striking ''at least every six months'' and inserting ''not less frequently than once each month''.

(c) MONTHLY REPORTS TO CONGRESS.—Such section is amended by adding at the end the following:

''(d) REPORTS TO CONGRESS.—Each time the Secretary updates the information made available under subsection (c), the Secretary shall submit to Congress a report containing such information.''.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. REED, and Mr. WHITEHOUSE):

S. 1759. A bill to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition, to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, today I wish to introduce the America's Cup Act of 2011. This legislation will enable foreign ships to compete for the 34th America's Cup, scheduled to begin in November.

I am happy to be joined by Senators BARBARA BOXER, JACK REED, and SHELDON WHITEHOUSE as original cosponsors.

The America's Cup is one of the oldest global sporting competitions. Its economic impact is surpassed only by the Olympics and the World Cup of soccer.

The event will begin in San Diego on November 12th. Next year the events continue in Italy and Newport, Rhode Island, and they conclude in San Francisco in September 2013.

But the events in San Diego, Newport and San Francisco cannot take place unless we waive certain laws that prohibit foreign vessels from operating in U.S. waters.

My legislation waives the Jones Act and the Passenger Vessel Services Act for all vessels participating in or supporting the America's Cup events.

However, this waiver is limited and narrow. It was carefully crafted to protect our domestic industry and passenger service operators. The legislation specifically states that the authority to operate in U.S. waters is strictly limited to activities that occur during and related to America's Cup Events.

The vessels are prohibited from transporting more than 25 individuals or from receiving compensation for transportation.

The vessels are prohibited from transporting merchandise between ports.

I understand that Jones Act waivers can be sensitive subjects for many, but I want to assure my colleagues that this is a noncontroversial bill.

The waiver is widely supported by local governments and business groups in California and Rhode Island.

Equally important, it is not opposed by the American Maritime Partnership, AMP. Like many of us, the AMP's neutrality was critical to me before I decided to pursue this legislation.

As many of my colleagues know, the American Maritime Partnership, formerly called the American Cabotage Task Force, is the voice of the U.S. domestic maritime industry. The group represents more than 450 member organizations ranging from vessel owners and shipboard unions to shipbuilders and equipment manufacturers.

These diverse interests recognize the importance of a strong domestic maritime industry and share my belief that the continued success of this industry is critical for America's economic security and independence.

Needless to say, Jones Act waivers are not an issue the AMP takes lightly, so I thank them for their willingness to work with me to bring this great event back to the United States.

The reason the American Maritime Partnership and so many other organizations support this legislation is that it will create jobs and stimulate the economy.

As I mentioned, the first event in the America's Cup World Series will occur in San Diego. This event alone is expected to bring $20 million to local businesses.

When the larger America's Cup Finals take place in San Francisco, the economic impacts are expected to be far greater. According to a recent study by Beacon Economics and the Bay Area Council the increase in economic activity in San Francisco could be nearly $1.4 billion. This is three times the estimated impact of hosting a Super Bowl, $300-$500 million.

The event could create as many as 8,840 jobs in San Francisco.

Local Governments could generate an additional $85 million in revenue.

Nationwide, the event is expected to increase domestic economic activity by $1.9 billion and create 11,978 jobs.

The economic impacts of these events are significant.

The waiver is widely supported by labor, business and members of both parties.

This is straightforward, common sense legislation that will facilitate international participation in a globally recognized sporting event.

I urge my colleagues to support this legislation.

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. 1759

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 ''America's Cup Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act:

(1) 34TH AMERICA'S CUP.—The term ''34th America's Cup''—

(A) means the sailing competitions, commencing in 2011, to be held in the United States in response to the challenge to the defending team from the United States, in accordance with the terms of the America's Cup governing Deed of Gift, dated October 24, 1887; and

(B) if a United States yacht club successfully defends the America's Cup, includes additional sailing competitions conducted by America's Cup Race Management during the 1-year period beginning on the last date of such defense.

(2) AMERICA'S CUP RACE MANAGEMENT.—The term ''America's Cup Race Management'' means the entity established to provide for independent, professional, and neutral race management of the America's Cup sailing competitions.

(3) ELIGIBILITY CERTIFICATION.—The term ''Eligibility Certification'' means a certification issued under section 4.

(4) ELIGIBLE VESSEL.—The term ''eligible vessel'' means a competing vessel or supporting vessel of any registry that—

(A) is recognized by America's Cup Race Management as an official competing vessel, or supporting vessel of, the 34th America's Cup, as evidenced in writing to the Administrator of the Maritime Administration of the Department of Transportation;

(B) transports not more than 25 individuals, in addition to the crew;

(C) is not a ferry (as defined under section 2101(10b) of title 46, United States Code;

(D) does not transport individuals in point-to-point service for hire; and

(E) does not transport merchandise between ports in the United States.

(5) SUPPORTING VESSEL.—The term ''supporting vessel'' means a vessel that is operating in support of the 34th America's Cup by—

(A) positioning a competing vessel on the race course;

(B) transporting equipment and supplies utilized for the staging, operations, or broadcast of the competition; or

(C) transporting individuals who—

(i) have not purchased tickets or directly paid for their passage; and

(ii) who are engaged in the staging, operations, or broadcast of the competition, race team personnel, members of the media, or event sponsors.

SEC. 3. AUTHORIZATION OF ELIGIBLE VESSELS.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an eligible vessel, operating only in preparation for, or in connection with, the 34th America's Cup competition, may position competing vessels and may transport individuals and equipment and supplies utilized for the staging, operations, or broadcast of the competition from and around the ports in the United States.

SEC. 4. CERTIFICATION.

(a) REQUIREMENT.—A vessel may not operate under section 3 unless the vessel has received an Eligibility Certification.

(b) ISSUANCE.—The Administrator of the Maritime Administration of the Department of Transportation is authorized to issue an Eligibility Certification with respect to any vessel that the Administrator determines, in his or her sole discretion, meets the requirements set forth in section 2(4).

SEC. 5. ENFORCEMENT.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an Eligibility Certification shall be conclusive evidence to the Secretary of the Department of Homeland Security of the qualification of the vessel for which it has been issued to participate in the 34th America's Cup as a competing vessel or a supporting vessel.

SEC. 6. PENALTY.

Any vessel participating in the 34th America's Cup as a competing vessel or supporting vessel that has not received an Eligibility Certification or is not in compliance with section 12112 of title 46, United States Code, shall be subject to the applicable penalties provided in chapters 121 and 551 of title 46, United States Code.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 301—URGING THE PEOPLE OF THE UNITED STATES TO OBSERVE OCTOBER 2011 AS ITALIAN AND ITALIAN-AMERICAN HERITAGE MONTH

Mr. CASEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 301

Whereas Italian and Italian-American Heritage Month is an appropriate time to recognize the enormous contributions that Italian and Italian-American people have made to the United States and the world throughout history, including generals, admirals, philosophers, statesmen, musicians, athletes, and Nobel Prize-winning scientists;

Whereas Italian and Italian-American Heritage Month salutes the Italian and Italian-American community and expresses appreciation for the culture and heritage of Italians and Italian Americans that has immeasurably enriched the lives of the people of the United States and the world;

Whereas the strength and success of the United States, the vitality of communities, and the effectiveness of society depend, in great measure, upon the distinctive and sterling qualities demonstrated by various ethnic groups and exemplified by members of the Italian and Italian-American community, who share their rich and unique heritage with all people of the United States; and

Whereas it is fitting and proper that October 2011 be observed as Italian and Italian-American Heritage Month throughout the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the enormous contributions that Italian and Italian-American people have made to the United States and the world throughout history; and

(2) urges the people of the United States—

(A) to acknowledge October 2011 as Italian and Italian-American Heritage Month; and

(B) to observe the month with appropriate events and activities.

SENATE RESOLUTION 302—EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Ms. LANDRIEU (for herself, Mr. INHOFE, Mr. KERRY, Ms. KLOBUCHAR, Mr. WYDEN, Mr. LAUTENBERG, Mrs. HUTCHISON, Mr. BOOZMAN, Mr. BLUNT, Mr. LUGAR, Mrs. GILLIBRAND, Mr. LEVIN, Mr. GRASSLEY, Ms. COLLINS, Mr. BAUCUS, Mr. MORAN, Mr. NELSON of Nebraska, Mr. CARDIN, Mr. JOHNSON of South Dakota, Mr. BROWN of Ohio, and Mr. DEMINT) submitted the following resolution; which was referred to the Committee on Health, Labor, and Pensions:

S. RES. 302

Whereas there are approximately 408,000 children in the foster care system in the United States, approximately 107,000 of whom are waiting for families to adopt them;

Whereas 56 percent of the children in foster care are age 10 or younger;

Whereas the average length of time a child spends in foster care is more than 2 years;

Whereas for many foster children, the wait for a loving family in which they are nurtured, comforted, and protected seems endless;

Whereas in 2010, nearly 28,000 youth ''aged out'' of foster care by reaching adulthood without being placed in a permanent home;

Whereas everyday, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas a 2007 survey conducted by the Dave Thomas Foundation for Adoption demonstrated that though ''Americans overwhelmingly support the concept of adoption, and in particular foster care adoption . . . foster care adoptions have not increased significantly over the past five years'';

Whereas while 4 in 10 Americans have considered adoption, a majority of Americans have misperceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 71 percent of those who have considered adoption consider adopting children from foster care above other forms of adoption;

Whereas 45 percent of Americans believe that children enter the foster care system because of juvenile delinquency, when in reality the vast majority of children who have entered the foster care system were victims of neglect, abandonment, or abuse;

Whereas 46 percent of Americans believe that foster care adoption is expensive, when in reality there is no substantial cost for adopting from foster care and financial support is available to adoptive parents after the adoption is finalized;

Whereas both National Adoption Day and National Adoption Month occur in the month of November;

Whereas National Adoption Day is a collective national effort to find permanent, loving families for children in the foster care system;

Whereas since the first National Adoption Day in 2000, more than 35,000 children have joined forever families during National Adoption Day;

Whereas in 2010, adoptions were finalized for nearly 5,000 children through 400 National Adoption Day events in all 50 States, the District of Columbia, and Puerto Rico; and

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month, and National Adoption Day is on November 19, 2011: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and all throughout the year.

SENATE RESOLUTION 303—HONORING THE LIFE, SERVICE, AND SACRIFICE OF CAPTAIN COLIN P. KELLY JR., UNITED STATES ARMY

Mr. NELSON of Florida submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 303

Whereas Captain Colin P. Kelly Jr. was born in Madison, Florida in 1915 and graduated from that community's high school in 1932;

Whereas Captain Kelly attended the United States Military Academy at West Point, New York, graduating in 1937 and was assigned to a B–17 bomber group;

Whereas Captain Kelly was stationed in the Philippines as a B–17 pilot in the Army Air Corps when the United States came under Japanese attack on December 7, 1941;

Whereas on December 10, 1941, when Clark Field in the Philippines was attacked by Japanese forces, Captain Kelly and his 7 crew members, Lieutenant Joe M. Bean, Second Lieutenant Donald Robins, Staff Sergeant James E. Halkyard, Technical Sergeant William J. Delehanty, Sergeant Meyer S. Levin, Private First Class Willard L. Money, and Private First Class Robert E. Altman, were sent to locate and sink a Japanese Aircraft Carrier, one of the first bombing missions of World War II;

Whereas the crew, commanded by Captain Kelly, located Japanese warships operating off the Luzon Coast, and during the mission successfully hit a large Japanese warship;

Whereas on the return flight to Clark Field, the B–17 came under attack by 2 enemy aircraft and was critically damaged;

Whereas Captain Kelly ordered his crew to bail out while he remained at the controls;

Whereas Captain Kelly continued to operate the controls as the 6 surviving crew members bailed out and parachuted safely to the ground, despite remaining under fire during the descent;

Whereas the B–17 crashed near Clark Field, killing Captain Kelly, who had remained at