SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 171. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 172. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 173. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 174. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 175. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 176. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 177. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 178. Mr. VITTER proposed an amendment to the bill S. 493, supra.

SA 179. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 180. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table.

SA 181. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 182. Mr. NELSON of Nebraska (for himself, Mr. TESTER, Mr. PRYOR, and Mr. MERKLEY) proposed an amendment to the bill S. 493, supra.

SA 183. Mr. MCCONNELL proposed an amendment to the bill S. 493, supra.

SA 184. Mr. COBURN (for himself, Ms. COLLINS, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 185. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 186. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 187. Mr. PRYOR (for himself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 188. Mr. PRYOR (for himself, Mr. KOHL, and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 189. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 190. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 191. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 192. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 193. Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. COBURN, Mr. WEBB, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 493, supra.

SA 194. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 195. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 196. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 197. Mrs. HUTCHISON (for herself, Mr. HATCH, Mr. MORAN, Mr. COCHRAN, Mr. KYL, Ms. MURKOWSKI, and Mr. BARRASSO) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 198. Mrs. HUTCHISON (for herself, Mr. CORNYN, Mr. VITTER, Ms. MURKOWSKI, Mr. SHELBY, Mr. WICKER, Mr. COCHRAN, and Mr. WEBB) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 199. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 200. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 201. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 202. Mr. ENSIGN (for himself, Ms. MURKOWSKI, Mr. MCCAIN, Mr. MORAN, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 203. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 204. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 205. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 206. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 207. Mr. SANDERS (for himself, Mr. BROWN of Ohio, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 208. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 209. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 210. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 211. Ms. SNOWE (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 212. Mr. BROWN of Massachusetts (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 213. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 214. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 215. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 216. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 217. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 218. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 219. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 220. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 221. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 222. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 223. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 224. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 225. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 226. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 227. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 228. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 170. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, strike line 11 and all that follows through page 51, line 15.

SA 171. Mr. PAUL submitted an amendment intended to be proposed by

him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, strike line 20 and all that follows through page 47, line 22, and insert the following:

SEC. 201. TECHNICAL AND CONFORMING AMENDMENTS.

(a) REDESIGNATION.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating sections 43, 44, and 45 as sections 44, 45, and 46 respectively;

(2) in section 37(d) (15 U.S.C. 657i(d)), by striking ''section 43'' and inserting ''section 44'';

(3) in section 40(d) (15 U.S.C. 657l(d), by striking ''section 43'' and inserting ''section 44''; and

(4) in section 41(b) (15 U.S.C. 657m(b)), by striking ''section 43'' and inserting ''section 44''.

(b) SECTION 205.—The amendments made by section 205(b) of this Act shall have no force or effect.

(c) PROSPECTIVE REPEAL OF THE SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—Effective 5 years after the date of enactment of this Act, the Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by striking section 43, as added by section 205(a) of this Act;

(2) by redesignating sections 44, 45, and 46, as redesignated by subsection (a)(1) of this subsection, as sections 43, 44, and 45, respectively;

(3) in section 37(d) (15 U.S.C. 657i(d)), by striking ''section 44'' and inserting ''section 43'';

(4) in section 40(d) (15 U.S.C. 657l(d), by striking ''section 44'' and inserting ''section 43''; and

(5) in section 41(b) (15 U.S.C. 657m(b)), by striking ''section 44'' and inserting ''section 43''.

SA 172. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. PROHIBITION ON ADDITIONAL FEDERAL FUNDING.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

''(nn) ELIGIBILITY REQUIREMENTS.—

''(1) DEFINITION.—In this subsection, the term 'earmark'—

''(A) means a provision or report language included primarily at the request of a Senator or Member of the House of Representatives providing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality, or congressional district; and

''(B) does not include a provision or report language that—

''(i) is specifically authorized by an appropriate congressional authorizing committee of jurisdiction;

''(ii) meets funding eligibility criteria established by an appropriate congressional authorizing committee of jurisdiction by statute; or

''(iii) is awarded through a statutory or administrative formula-driven or competitive award process.

''(2) ELIGIBILITY FOR SBIR AND STTR AWARDS.—A Federal agency may not make an award under the SBIR program or STTR program of the Federal agency to a small business concern that receives—

''(A) a Federal grant (other than an award under an SBIR program or STTR program); or

''(B) Federal funding as a result of an earmark.

''(3) PROHIBITION ON RECEIPT OF FEDERAL GRANTS.—A small business concern carrying out activities funded using an award under an SBIR program or STTR program may not—

''(A) apply for or receive a Federal grant (other than an award under an SBIR program or STTR program); or

''(B) receive Federal funding as a result of an earmark.''.

SA 173. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 1, strike ''2019'' and insert ''2013''.

On page 4, line 9, strike ''2019'' and insert ''2013''.

On page 42, line 15, strike ''2016'' and insert ''2013''.

On page 42, line 18, strike ''2016'' and insert ''2013''.

On page 42, line 24, strike ''2016'' and insert ''2013''.

On page 46, strike lines 14 through 18 and insert the following:

(1) $1,000,000 for fiscal year 2012; and

(2) $1,000,000 for fiscal year 2013.

On page 54, line 8, strike ''2014'' and insert ''2013''.

SA 174. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. _____. RESCINDING ARRA FUNDING.

(a) IN GENERAL.—There are rescinded all unobligated balances remaining available as of the date of enactment of this section, of the discretionary appropriations provided by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

(b) OVERSIGHT.—Subsection (a) shall not apply to funds appropriated or otherwise made available to Offices of Inspector General and the Recovery Act Accountability and Transparency Board by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

(c) SIGNAGE.—Effective on the date of enactment of this section and thereafter, no Federal agency administering funds provided by division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) may provide funding or reimbursement to any entity awarded funds from such Act for the cost associated with physical signage or other advertisement indicating that a project is funded by such Act.

SA 175. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5____. WATER QUALITY STANDARDS.

None of the funds made available by this Act or any other provision of law may be used to implement, administer, or enforce the final rule of the Environmental Protection Agency entitled ''Water Quality Standards for the State of Florida's Lakes and Flowing Waters'' (75 Fed. Reg. 75762 (December 6, 2010)).

SA 176. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. _____. BUDGET OF THE UNITED STATES GOVERNMENT.

(a) PROHIBITION ON PRINTING THE BUDGET OF THE UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—Chapter 13 of title 44, United States Code, is amended by adding at the end the following:

''§ 1345. Prohibition on printing of the budget of the United States Government

''The Government Printing Office shall not print the budget of the United States Government described under section 1105 of title 31, United States Code.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 44, United States Code, is amended by adding after the item relating to section 1344 the following:

''Sec. 1345. Prohibition on printing of the budget of the United States Government.''.

(b) ELECTRONIC AVAILABILITY.—The Office of Management and Budget shall make the budget of the United States Government submitted to Congress under section 1105 of title 31, United States Code, available—

(1) to the public on the website of the Office of Management and Budget; and

(2) in a format which enables the budget to be downloaded and printed by users of the website.

SA 177. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. TERMINATION OF NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

(a) TERMINATION.—

(1) IN GENERAL.—The National Veterans Business Development Corporation is hereby terminated.

(2) WINDING-UP.—The Board of Directors of the National Veterans Business Development Corporation shall take such actions as are necessary and appropriate to wind up the affairs of the Corporation as soon as practicable after the date of the enactment of this Act.

(b) CONFORMING REPEAL.—Section 33 of the Small Business Act (15 U.S.C. 657c) is repealed.

SA 178. Mr. VITTER proposed an amendment to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the end, add the following:

SEC. _____. SALE OF EXCESS FEDERAL PROPERTY.

(a) IN GENERAL.—Chapter 5 of subtitle I of title 40, United States Code, is amended by adding at the end the following:

''SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

''§ 621. Definitions

''In this subchapter:

''(1) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(2) LANDHOLDING AGENCY.—The term 'landholding agency' means a landholding agency (as defined in section 501(i) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411(i))).

''(3) REAL PROPERTY.—

''(A) IN GENERAL.—The term 'real property' means—

''(i) a parcel of real property under the administrative jurisdiction of the Federal Government that is—

''(I) excess;

''(II) surplus;

''(III) underperforming; or

''(IV) otherwise not meeting the needs of the Federal Government, as determined by the Director; and

''(ii) a building or other structure located on real property described in clause (i).

''(B) EXCLUSION.—The term 'real property' excludes any parcel of real property, and any building or other structure located on real property, that is to be closed or realigned under the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note; Public Law 100–526).

''§ 622. Disposal program

''(a) IN GENERAL.—Except as provided in subsection (e), the Director shall, by sale or auction, dispose of a quantity of real property with an aggregate value of not less than $15,000,000,000 that, as determined by the Director, is not being used, and will not be used, to meet the needs of the Federal Government for the period of fiscal years 2010 through 2015.

''(b) RECOMMENDATIONS.—The head of each landholding agency shall recommend to the Director real property for disposal under subsection (a).

''(c) SELECTION OF PROPERTIES.—After receiving recommendations of candidate real property under subsection (b), the Director—

''(1) with the concurrence of the head of each landholding agency, may select the real property for disposal under subsection (a); and

''(2) shall notify the recommending landholding agency head of the selection of the real property.

''(d) WEBSITE.—The Director shall ensure that all real properties selected for disposal under this section are listed on a website that shall—

''(1) be updated routinely; and

''(2) include the functionality to allow any member of the public, at the option of the member, to receive updates of the list through electronic mail.

''(e) TRANSFER OF PROPERTY.—The Director may transfer real property selected for disposal under this section to the Department of Housing and Urban Development if the Secretary of Housing and Urban Development determines that the real property is suitable for use in assisting the homeless.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of subtitle I of title 40, United States Code, is amended by inserting after the item relating to section 611 the following:

''SUBCHAPTER VII—EXPEDITED DISPOSAL OF REAL PROPERTY

''Sec. 621. Definitions.

''Sec. 622. Disposal program.''.

SA 179. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 501, add the following:

(d) SUNSET.—Effective on the date that is 5 years after the date of enactment of this Act, section 9 of the Small Business Act (15 U.S.C. 638), as amended by this section, is amended—

(1) in subsection (g)—

(A) in paragraph (3)—

(i) by striking ''applications to the Federal agency for support of projects relating to nanotechnology, rare diseases, security, energy, transportation, or improving the security and quality of the water supply of the United States, and the efficiency of water delivery systems and usage patterns in the United States (including the territories of the United States) through the use of technology (to the extent that the projects relate to the mission of the Federal agency), broad research topics, and topics that further 1 or more critical technologies or research priorities'' and inserting ''broad research topics and to topics that further 1 or more critical technologies''; and

(ii) in subparagraph (A), by adding ''or'' at the end;

(iii) in subparagraph (B), by striking the semicolon at the end and inserting a period; and

(iv) by striking subsections (C), (D), (E), and (F); and

(B) by striking paragraph (13);

(2) in subsection (o)—

(A) in paragraph (3)—

(i) by striking ''applications to the Federal agency for support of projects relating to nanotechnology, rare diseases, security, energy, transportation, or improving the security and quality of the water supply of the United States, and the efficiency of water delivery systems and usage patterns in the United States (including the territories of the United States) through the use of technology (to the extent that the projects relate to the mission of the Federal agency), broad research topics, and topics that further 1 or more critical technologies or research priorities'' and inserting ''broad research topics and to topics that further 1 or more critical technologies''; and

(ii) in subparagraph (A), by adding ''or'' at the end;

(iii) in subparagraph (B), by striking the semicolon at the end and inserting a period; and

(iv) by striking subsections (C), (D), (E), and (F);

(B) in paragraph (15), by adding ''and'' at the end;

(C) in paragraph (16), by striking ''; and'' and inserting a period; and

(D) by striking paragraph (17); and

(3) in subsection (x)—

(A) by adding at the end the following:

''(3) UTILIZATION OF PLANS.—The criteria and procedures described in paragraph (1) shall be developed through the use of the most current versions of the following plans:

''(A) The Joint Warfighting Science and Technology Plan required under section 270 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C. 2501 note).

''(B) The Defense Technology Area Plan of the Department of Defense.

''(C) The Basic Research Plan of the Department of Defense.''.

SA 180. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Secretary of Energy to make grants to State or local governments under the Weatherization and Intergovernmental Program.

SA 181. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. _____. DOMESTIC AIR TRAVEL RESTRICTIONS FOR FEDERAL EMPLOYEES.

(a) IN GENERAL.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5710 the following:

''§ 5711. Domestic air travel restriction

''(a) In this section, the term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, but does not include the Trust Territory of the Pacific Islands.

''(b) An employee may only be reimbursed for the actual and necessary expenses of official air travel within the United States if that travel is coach-class.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5710 the following:

''5711. Domestic air travel restriction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and apply to travel taken on or after that date.

SA 182. Mr. NELSON of Nebraska (for himself, Mr. TESTER, Mr. PRYOR, and Mr. MERKLEY) proposed an amendment to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the appropriate place, insert the following:

It is the sense of the Senate that it supports reducing its budget by at least 5 percent. The Senate has made the findings that:

Finding that, Congress must pursue comprehensive deficit reduction,

Finding that, the nation is deeply involved in military action on two fronts,

Finding that, Admiral Mullen has noted the most significant threat to national security is the national debt,

Finding that, the nation is in fragile recovery from an economic downturn that has spanned two administrations,

Finding that, the offices and agencies that serve Members of Congress must be reduced along with the rest of the budget,

Finding that, in order to address the Nation's fiscal crisis, the Senate should lead by example and reduce its own legislative budget,

It is the sense of the Senate, that it should lead by example and reduce the budget of the Senate by at least 5 percent.

SA 183. Mr. MCCONNELL proposed an amendment to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the end, add the following:

TITLE VI—ENERGY TAX PREVENTION

SEC. 601. SHORT TITLE.

This title may be cited as the ''Energy Tax Prevention Act of 2011''.

SEC. 602. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

(a) IN GENERAL.—Title III of the Clean Air Act (42 U.S.C. 7601 et seq.) is amended by adding at the end the following:

''SEC. 330. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.

''(a) DEFINITION.—In this section, the term 'greenhouse gas' means any of the following:

''(1) Water vapor.

''(2) Carbon dioxide.

''(3) Methane.

''(4) Nitrous oxide.

''(5) Sulfur hexafluoride.

''(6) Hydrofluorocarbons.

''(7) Perfluorocarbons.

''(8) Any other substance subject to, or proposed to be subject to, regulation, action, or consideration under this Act to address climate change.

''(b) LIMITATION ON AGENCY ACTION.—

''(1) LIMITATION.—

''(A) IN GENERAL.—The Administrator may not, under this Act, promulgate any regulation concerning, take action relating to, or take into consideration the emission of a greenhouse gas to address climate change.

''(B) AIR POLLUTANT DEFINITION.—The definition of the term 'air pollutant' in section 302(g) does not include a greenhouse gas. Nothwithstanding the previous sentence, such definition may include a greenhouse gas for purposes of addressing concerns other than climate change.

''(2) EXCEPTIONS.—Paragraph (1) does not prohibit the following:

''(A) Notwithstanding paragraph (4)(B), implementation and enforcement of the rule entitled 'Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards' (75 Fed. Reg. 25324 (May 7, 2010) and without further revision) and finalization, implementation, enforcement, and revision of the proposed rule entitled 'Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles' published at 75 Fed. Reg. 74152 (November 30, 2010).

''(B) Implementation and enforcement of section 211(o).

''(C) Statutorily authorized Federal research, development, and demonstration programs addressing climate change.

''(D) Implementation and enforcement of title VI to the extent such implementation or enforcement only involves one or more class I or class II substances (as such terms are defined in section 601).

''(E) Implementation and enforcement of section 821 (42 U.S.C. 7651k note) of Public Law 101–549 (commonly referred to as the 'Clean Air Act Amendments of 1990').

''(3) INAPPLICABILITY OF PROVISIONS.—Nothing listed in paragraph (2) shall cause a greenhouse gas to be subject to part C of title I (relating to prevention of significant deterioration of air quality) or considered an air pollutant for purposes of title V (relating to air permits).

''(4) CERTAIN PRIOR AGENCY ACTIONS.—The following rules, and actions (including any supplement or revision to such rules and actions) are repealed and shall have no legal effect:

''(A) 'Mandatory Reporting of Greenhouse Gases', published at 74 Fed. Reg. 56260 (October 30, 2009).

''(B) 'Endangerment and Cause or Contribute Findings for Greenhouse Gases under section 202(a) of the Clean Air Act' published at 74 Fed. Reg. 66496 (Dec. 15, 2009).

''(C) 'Reconsideration of the Interpretation of Regulations That Determine Pollutants Covered by Clean Air Act Permitting Programs' published at 75 Fed. Reg. 17004 (April 2, 2010) and the memorandum from Stephen L. Johnson, Environmental Protection Agency (EPA) Administrator, to EPA Regional Administrators, concerning 'EPA's Interpretation of Regulations that Determine Pollutants Covered by Federal Prevention of Significant Deterioration (PSD) Permit Program' (Dec. 18, 2008).

''(D) 'Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule', published at 75 Fed. Reg. 31514 (June 3, 2010).

''(E) 'Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call', published at 75 Fed. Reg. 77698 (December 13, 2010).

''(F) 'Action to Ensure Authority to Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Failure to Submit State Implementation Plan Revisions Required for Greenhouse Gases', published at 75 Fed. Reg. 81874 (December 29, 2010).

''(G) 'Action To Ensure Authority To Issue Permits Under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Federal Implementation Plan', published at 75 Fed. Reg. 82246 (December 30, 2010).

''(H) 'Action To Ensure Authority To Implement Title V Permitting Programs Under the Greenhouse Gas Tailoring Rule', published at 75 Fed. Reg. 82254 (December 30, 2010).

''(I) 'Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program', published at 75 Fed. Reg. 82430 (December 30, 2010).

''(J) 'Limitation of Approval of Prevention of Significant Deterioration Provisions Concerning Greenhouse Gas Emitting-Sources in State Implementation Plans; Final Rule', published at 75 Fed. Reg. 82536 (December 30, 2010).

''(K) 'Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas Prevention of Significant Deterioration Program; Proposed Rule', published at 75 Fed. Reg. 82365 (December 30, 2010).

''(L) Except for action listed in paragraph (2), any other Federal action under this Act occurring before the date of enactment of this section that applies a stationary source permitting requirement or an emissions standard for a greenhouse gas to address climate change.

''(5) STATE ACTION.—

''(A) NO LIMITATION.—This section does not limit or otherwise affect the authority of a State to adopt, amend, enforce, or repeal State laws and regulations pertaining to the emission of a greenhouse gas.

''(B) EXCEPTION.—

''(i) RULE.—Notwithstanding subparagraph (A), any provision described in clause (ii)—

''(I) is not federally enforceable;

''(II) is not deemed to be a part of Federal law; and

''(III) is deemed to be stricken from the plan described in clause (ii)(I) or the program or permit described in clause (ii)(II), as applicable.

''(ii) PROVISIONS DEFINED.—For purposes of clause (i), the term 'provision' means any provision that—

''(I) is contained in a State implementation plan under section 110 and authorizes or requires a limitation on, or imposes a permit requirement for, the emission of a greenhouse gas to address climate change; or

''(II) is part of an operating permit program under title V, or a permit issued pursuant to title V, and authorizes or requires a limitation on the emission of a greenhouse gas to address climate change.

''(C) ACTION BY ADMINISTRATOR.—The Administrator may not approve or make federally enforceable any provision described in subparagraph (B)(ii).''.

SEC. 603. PRESERVING ONE NATIONAL STANDARD FOR AUTOMOBILES.

Section 209(b) of the Clean Air Act (42 U.S.C. 7543) is amended by adding at the end the following:

''(4) With respect to standards for emissions of greenhouse gases (as defined in section 330) for model year 2017 or any subsequent model year for new motor vehicles and new motor vehicle engines—

''(A) the Administrator may not waive application of subsection (a); and

''(B) no waiver granted prior to the date of enactment of this paragraph may be considered to waive the application of subsection (a).''.

SA 184. Mr. COBURN (for himself, Ms. COLLINS, and Mrs. MCCASKILL) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.

(a) Each fiscal year, the head of each Federal agency shall—

(1) identify and describe every program administered by the agency, including the mission, goals, purpose, budget, and statutory authority of each program;

(2) report the list and description of programs to the Office of Management and Budget, Congress, and the U.S. Government Accountability Office; and

(3) post the list and description of programs on the agency's public website.

(b) Not later than 120 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall prescribe regulations to implement this section.

(c) This section shall be implemented beginning in the first full fiscal year occurring after the date of the enactment of this Act.

SA 185. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IMPROVED TRANSPARENCY.

The Secretary of Health and Human Services shall publish on the Internet website of the Department of Health ad Human Services any application submitted by any entity

for a waiver from any requirement of the Patient Protection and Affordable Care Act (and the amendments made by that Act).

SA 186. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLE ____—UNITED STATES AUTHORIZATION AND SUNSET COMMISSION ACT OF 2011

SEC. __01. SHORT TITLE.

This title may be cited as the ''United States Authorization and Sunset Commission Act of 2011''.

SEC. __02. DEFINITIONS.

In this title—

(1) the term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code;

(2) the term ''Commission'' means the United States Authorization and Sunset Commission established under section __03; and

(3) the term ''Commission Schedule and Review bill'' means the proposed legislation submitted to Congress under section __04(b).

SEC. __03. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established the United States Authorization and Sunset Commission.

(b) COMPOSITION.—The Commission shall be composed of eight members (in this title referred to as the ''members''), as follows:

(1) Four members appointed by the majority leader of the Senate, one of whom may include the majority leader of the Senate, with minority members appointed with the consent of the minority leader of the Senate.

(2) Four members appointed by the Speaker of the House of Representatives, one of whom may include the Speaker of the House of Representatives, with minority members appointed with the consent of the minority leader of the House of Representatives.

(3) The Director of the Congressional Budget Office and the Comptroller of the Government Accountability Office shall be non-voting ex officio members of the Commission.

(c) QUALIFICATIONS OF MEMBERS.—

(1) IN GENERAL.—

(A) SENATE MEMBERS.—Of the members appointed under subsection (b)(1), four shall be members of the Senate (not more than two of whom may be of the same political party).

(B) HOUSE OF REPRESENTATIVE MEMBERS.—Of the members appointed under subsection (b)(2), four shall be members of the House of Representatives, not more than two of whom may be of the same political party.

(2) CONTINUATION OF MEMBERSHIP.—

(A) IN GENERAL.—If a member was appointed to the Commission as a Member of Congress and the member ceases to be a Member of Congress, that member shall cease to be a member of the Commission.

(B) ACTIONS OF COMMISSION UNAFFECTED.—Any action of the Commission shall not be affected as a result of a member becoming ineligible under subparagraph (A).

(d) INITIAL APPOINTMENTS.—Not later than 90 days after the date of enactment of this title, all initial appointments to the Commission shall be made.

(e) CHAIRPERSON; VICE CHAIRPERSON.—

(1) INITIAL CHAIRPERSON.—An individual shall be designated by the Speaker of the House of Representatives from among the members initially appointed under subsection (b)(2) to serve as chairperson of the Commission for a period of 2 years.

(2) INITIAL VICE CHAIRPERSON.—An individual shall be designated by the majority leader of the Senate from among the individuals initially appointed under subsection (b)(1) to serve as vice-chairperson of the Commission for a period of 2 years.

(3) ALTERNATE APPOINTMENTS OF CHAIRMEN AND VICE CHAIRMEN.—Following the termination of the 2-year period described under paragraphs (1) and (2), the Speaker and the majority leader of the Senate shall alternate every 2 years in appointing the chairperson and vice-chairperson of the Commission.

(f) TERMS OF MEMBERS.—

(1) MEMBERS OF CONGRESS.—Each member appointed to the Commission shall serve for a term of 6 years, except that, of the members first appointed under paragraphs (1) and (2) of subsection (b), two members shall be appointed to serve a term of 3 years.

(2) TERM LIMIT.—A member of the Commission who serves more than 3 years of a term may not be appointed to another term as a member.

(g) INITIAL MEETING.—If, after 90 days after the date of enactment of this title, five or more members of the Commission have been appointed—

(1) members who have been appointed may—

(A) meet; and

(B) select a chairperson from among the members (if a chairperson has not been appointed) who may serve as chairperson until the appointment of a chairperson; and

(2) the chairperson shall have the authority to begin the operations of the Commission, including the hiring of staff.

(h) MEETING; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairperson or a majority of its members. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(i) POWERS OF THE COMMISSION.—

(1) IN GENERAL.—

(A) HEARINGS, TESTIMONY, AND EVIDENCE.—The Commission may, for the purpose of carrying out the provisions of this title—

(i) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(ii) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, that the Commission or such designated subcommittee or designated member may determine advisable.

(B) SUBPOENAS.—Subpoenas issued under subparagraph (A)(ii) may be issued to require attendance and testimony of witnesses and the production of evidence relating to any matter under investigation by the Commission.

(C) ENFORCEMENT.—The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this paragraph.

(2) CONTRACTING.—The Commission may contract with and compensate government and private agencies or persons for services without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) to enable the Commission to discharge its duties under this title.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairperson.

(4) SUPPORT SERVICES.—

(A) GOVERNMENT ACCOUNTABILITY OFFICE.—The Government Accountability Office is authorized on a reimbursable basis to provide the Commission with administrative services, funds, facilities, staff, and other support services for the performance of the functions of the Commission.

(B) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(C) AGENCIES.—In addition to the assistance under subparagraphs (A) and (B), departments and agencies of the United States are authorized to provide to the Commission such services, funds, facilities, staff, and other support services as the Commission may determine advisable as may be authorized by law.

(5) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(6) IMMUNITY.—The Commission is an agency of the United States for purposes of part V of title 18, United States Code (relating to immunity of witnesses).

(7) DIRECTOR AND STAFF OF THE COMMISSION.—

(A) DIRECTOR.—The chairperson of the Commission may appoint a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level II of the Executive Schedule. Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(B) PERSONNEL AS FEDERAL EMPLOYEES.—

(i) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A, 89B, and 90 of that title.

(ii) MEMBERS OF COMMISSION.—Clause (i) shall not be construed to apply to members of the Commission.

(C) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—With the approval of the majority of the Commission, the chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(8) COMPENSATION AND TRAVEL EXPENSES.—

(A) COMPENSATION.—Members shall not be paid by reason of their service as members.

(B) TRAVEL EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703(b) of title 5, United States Code.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary for the purposes of carrying out the duties of the Commission.

(k) TERMINATION.—The Commission shall terminate on December 31, 2041.

SEC. __04. DUTIES AND RECOMMENDATIONS OF THE UNITED STATES AUTHORIZATION AND SUNSET COMMISSION.

(a) SCHEDULE AND REVIEW.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this title and at least once every 10 years thereafter, the Commission shall submit to Congress a legislative proposal that includes the schedule of review and abolishment of agencies and programs (in this section referred to as the ''Commission Schedule and Review bill'').

(2) SCHEDULE.—The schedule of the Commission shall provide a timeline for the Commission's review and proposed abolishment of—

(A) at least 25 percent of unauthorized agencies or programs as measured in dollars, including those identified by the Congressional Budget Office under section 602(e)(3) of title 2, United States Code; and

(B) at least 25 percent of the agencies and programs with duplicative goals and activities within Departments and government-wide as measured in dollars identified by the Comptroller General of the Government Accountability Office under section 21 of the Statutory Pay-As-You-Go Act of 2010 (P. L. 111-139; 31 U.S.C. 712 note).

(3) REVIEW OF AGENCIES.—In determining the schedule for review and abolishment of agencies under paragraph (1), the Commission shall provide that any agency that performs similar or related functions be reviewed concurrently.

(4) CRITERIA AND REVIEW.—The Commission shall review each agency and program identified under paragraph (1) in accordance with the following criteria as applicable:

(A) The effectiveness and the efficiency of the program or agency.

(B) The achievement of performance goals (as defined under section 1115(g)(4) of title 31, United States Code).

(C) The management of the financial and personnel issues of the program or agency.

(D) Whether the program or agency has fulfilled the legislative intent surrounding its creation, taking into account any change in legislative intent during the existence of the program or agency.

(E) Ways the agency or program could be less burdensome but still efficient in protecting the public.

(F) Whether reorganization, consolidation, abolishment, expansion, or transfer of agencies or programs would better enable the Federal Government to accomplish its missions and goals.

(G) The promptness and effectiveness of an agency in handling complaints and requests made under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act).

(H) The extent that the agency encourages and uses public participation when making rules and decisions.

(I) The record of the agency in complying with requirements for equal employment opportunity, the rights and privacy of individuals, and purchasing products from historically underutilized businesses.

(J) The extent to which the program or agency duplicates or conflicts with other Federal agencies, State or local government, or the private sector and if consolidation or streamlining into a single agency or program is feasible.

(b) SCHEDULE AND ABOLISHMENT OF AGENCIES AND PROGRAMS.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this title and at least once every 10 years thereafter, the Commission shall submit to the Congress a Commission Schedule and Review bill that—

(A) includes a schedule for review of agencies and programs; and

(B) abolishes any agency or program 2 years after the date the Commission completes its review of the agency or program, unless the agency or program is reauthorized by Congress.

(2) EXPEDITED CONGRESSIONAL CONSIDERATION PROCEDURES.—In reviewing the Commission Schedule and Review bill, Congress shall follow the expedited procedures under section __06.

(c) RECOMMENDATIONS AND LEGISLATIVE PROPOSALS.—

(1) REPORT.—Not later than 2 years after the date of enactment of this title, the Commission shall submit to Congress and the President—

(A) a report that reviews and analyzes according to the criteria established under subsection (a)(4) for each agency and program to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1);

(B) a proposal, if appropriate, to reauthorize, reorganize, consolidate, expand, or transfer the Federal programs and agencies to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1); and

(C) legislative provisions necessary to implement the Commission's proposal and recommendations.

(2) ADDITIONAL REPORTS.—The Commission shall submit to Congress and the President additional reports as prescribed under paragraph (1) on or before June 30 of every other year.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the power of the Commission to review any Federal program or agency.

(e) APPROVAL OF REPORTS.—The Commission Schedule and Review bill and all other legislative proposals and reports submitted under this section shall require the approval of not less than five members of the Commission.

SEC. __05. EXPEDITED CONSIDERATION OF COMMISSION RECOMMENDATIONS.

(a) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(1) INTRODUCTION.—If any legislative proposal with provisions is submitted to Congress under section __04(c), a bill with that proposal and provisions shall be introduced in the Senate by the majority leader, and in the House of Representatives, by the Speaker. Upon introduction, the bill shall be referred to the appropriate committees of Congress under paragraph (2). If the bill is not introduced in accordance with the preceding sentence, then any Member of Congress may introduce that bill in their respective House of Congress beginning on the date that is the 5th calendar day that such House is in session following the date of the submission of such proposal with provisions.

(2) COMMITTEE CONSIDERATION.—

(A) REFERRAL.—A bill introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the House of Representatives.

(B) REPORTING.—Not later than 30 calendar days after the introduction of the bill, each committee of Congress to which the bill was referred shall report the bill or a committee amendment thereto.

(C) DISCHARGE OF COMMITTEE.—If a committee to which is referred a bill has not reported such bill at the end of 30 calendar days after its introduction or at the end of the first day after there has been reported to the House involved a bill, whichever is earlier, such committee shall be deemed to be discharged from further consideration of such bill, and such bill shall be placed on the appropriate calendar of the House involved.

(b) EXPEDITED PROCEDURE.—

(1) CONSIDERATION.—

(A) IN GENERAL.—Not later than 5 calendar days after the date on which a committee has been discharged from consideration of a bill, the majority leader of the Senate, or the majority leader's designee, or the Speaker of the House of Representatives, or the Speaker's designee, shall move to proceed to the consideration of the committee amendment to the bill, and if there is no such amendment, to the bill. It shall also be in order for any member of the Senate or the House of Representatives, respectively, to move to proceed to the consideration of the bill at any time after the conclusion of such 5-day period.

(B) MOTION TO PROCEED.—A motion to proceed to the consideration of a bill is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, to a motion to postpone consideration of the bill, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order. If the motion to proceed is agreed to, the Senate or the House of Representatives, as the case may be, shall immediately proceed to consideration of the bill without intervening motion, order, or other business, and the bill shall remain the unfinished business of the Senate or the House of Representatives, as the case may be, until disposed of.

(C) LIMITED DEBATE.—Debate on the bill and all amendments thereto and on all debatable motions and appeals in connection therewith shall be limited to not more than 50 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate on the bill is in order and is not debatable. All time used for consideration of the bill, including time used for quorum calls (except quorum calls immediately preceding a vote) and voting, shall come from the 50 hours of debate.

(D) AMENDMENTS.—No amendment that is not germane to the provisions of the bill shall be in order in the Senate. In the Senate, an amendment, any amendment to an amendment, or any debatable motion or appeal is debatable for not to exceed 1 hour to be divided equally between those favoring and those opposing the amendment, motion, or appeal.

(E) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on the bill, and the disposition of any pending amendments under subparagraph (D), the vote on final passage of the bill shall occur.

(F) OTHER MOTIONS NOT IN ORDER.—A motion to postpone consideration of the bill, a motion to proceed to the consideration of other business, or a motion to recommit the bill is not in order. A motion to reconsider the vote by which the bill is agreed to or not agreed to is not in order.

(2) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the bill that was introduced in such House, such House receives from the other House a bill as passed by such other House—

(A) the bill of the other House shall not be referred to a committee and may only be considered for final passage in the House that receives it under subparagraph (C);

(B) the procedure in the House in receipt of the bill of the other House, with respect to the bill that was introduced in the House in receipt of the bill of the other House, shall be the same as if no bill had been received from the other House; and

(C) notwithstanding subparagraph (B), the vote on final passage shall be on the bill of the other House.

Upon disposition of a bill that is received by one House from the other House, it shall no longer be in order to consider the bill that was introduced in the receiving House.

(3) CONSIDERATION IN CONFERENCE.—

(A) CONVENING OF CONFERENCE.—Immediately upon final passage of a bill that results in a disagreement between the two Houses of Congress with respect to a bill, conferees shall be appointed and a conference convened.

(B) ACTION ON CONFERENCE REPORTS IN THE SENATE.—

(i) MOTION TO PROCEED.—The motion to proceed to consideration in the Senate of the conference report on a bill may be made even though a previous motion to the same effect has been disagreed to.

(ii) DEBATE.—Consideration in the Senate of the conference report (including a message between Houses) on a bill, and all amendments in disagreement, including all amendments thereto, and debatable motions and appeals in connection therewith, shall be limited to 20 hours, equally divided and controlled by the majority leader and the minority leader or their designees. Debate on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(iii) CONFERENCE REPORT DEFEATED.—Should the conference report be defeated, debate on any request for a new conference and the appointment of conferrees shall be limited to 1 hour, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or the minority leader's designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to ½ hour, to be equally divided between, and controlled by, the mover and the manager of the conference report. Debate on any amendment to any such instructions shall be limited to 20 minutes, to be equally divided between and controlled by the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or the minority leader's designee.

(iv) AMENDMENTS IN DISAGREEMENT.—In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or the minority leader's designee. No amendment that is not germane to the provisions of such amendments shall be received.

(v) LIMITATION ON MOTION TO RECOMMIT.—A motion to recommit the conference report is not in order.

(c) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. __06. EXPEDITED CONSIDERATION OF COMMISSION SCHEDULE AND REVIEW BILL.

(a) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(1) INTRODUCTION.—The Commission Schedule and Review bill submitted under section __04(b) shall be introduced in the Senate by the majority leader, or the majority leader's designee, and in the House of Representatives, by the Speaker, or the Speaker's designee. Upon such introduction, the Commission Schedule and Review bill shall be referred to the appropriate committees of Congress under paragraph (2). If the Commission Schedule and Review bill is not introduced in accordance with the preceding sentence, then any member of Congress may introduce the Commission Schedule and Review bill in their respective House of Congress beginning on the date that is the 5th calendar day that such House is in session following the date of the submission of such aggregate legislative language provisions.

(2) COMMITTEE CONSIDERATION.—

(A) REFERRAL.—A Commission Schedule and Review bill introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Budget and the Committee on Oversight and Government Reform of the House of Representatives. A committee to which a Commission Schedule and Review bill is referred under this paragraph may review and comment on such bill, may report such bill to the respective House, and may not amend such bill.

(B) REPORTING.—Not later than 30 calendar days after the introduction of the Commission Schedule and Review bill, each Committee of Congress to which the Commission Schedule and Review bill was referred shall report the bill.

(C) DISCHARGE OF COMMITTEE.—If a committee to which is referred a Commission Schedule and Review bill has not reported such Commission Schedule and Review bill at the end of 30 calendar days after its introduction or at the end of the first day after there has been reported to the House involved a Commission Schedule and Review bill, whichever is earlier, such committee shall be deemed to be discharged from further consideration of such Commission Schedule and Review bill, and such Commission Schedule and Review bill shall be placed on the appropriate calendar of the House involved.

(b) EXPEDITED PROCEDURE.—

(1) CONSIDERATION.—

(A) IN GENERAL.—Not later than 5 calendar days after the date on which a committee has been discharged from consideration of a Commission Schedule and Review bill, the majority leader of the Senate, or the majority leader's designee, or the Speaker of the House of Representatives, or the Speaker's designee, shall move to proceed to the consideration of the Commission Schedule and Review bill. It shall also be in order for any member of the Senate or the House of Representatives, respectively, to move to proceed to the consideration of the Commission Schedule and Review bill at any time after the conclusion of such 5-day period.

(B) MOTION TO PROCEED.—A motion to proceed to the consideration of a Commission Schedule and Review bill is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, to a motion to postpone consideration of the Commission Schedule and Review bill, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order. If the motion to proceed is agreed to, the Senate or the House of Representatives, as the case may be, shall immediately proceed to consideration of the Commission Schedule and Review bill without intervening motion, order, or other business, and the Commission Schedule and Review bill shall remain the unfinished business of the Senate or the House of Representatives, as the case may be, until disposed of.

(C) LIMITED DEBATE.—Debate on the Commission Schedule and Review bill and on all debatable motions and appeals in connection therewith shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the Commission Schedule and Review bill. A motion further to limit debate on the Commission Schedule and Review bill is in order and is not debatable. All time used for consideration of the Commission Schedule and Review bill, including time used for quorum calls (except quorum calls immediately preceding a vote) and voting, shall come from the 10 hours of debate.

(D) AMENDMENTS.—No amendment to the Commission Schedule and Review bill shall be in order in the Senate and the House of Representatives.

(E) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on the Commission Schedule and Review bill, the vote on final passage of the Commission Schedule and Review bill shall occur.

(F) OTHER MOTIONS NOT IN ORDER.—A motion to postpone consideration of the Commission Schedule and Review bill, a motion to proceed to the consideration of other business, or a motion to recommit the Commission Schedule and Review bill is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill is agreed to or not agreed to is not in order.

(2) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the Commission Schedule and Review bill that was introduced in such House, such House receives from the other House a Commission Schedule and Review bill as passed by such other House—

(A) the Commission Schedule and Review bill of the other House shall not be referred to a committee and may only be considered for final passage in the House that receives it under subparagraph (C);

(B) the procedure in the House in receipt of the Commission Schedule and Review bill of the other House, with respect to the Commission Schedule and Review bill that was introduced in the House in receipt of the Commission Schedule and Review bill of the other House, shall be the same as if no Commission Schedule and Review bill had been received from the other House; and

(C) notwithstanding subparagraph (B), the vote on final passage shall be on the Commission Schedule and Review bill of the other House. Upon disposition of a Commission Schedule and Review bill that is received by one House from the other House, it shall no longer be in order to consider the Commission Schedule and Review bill that was introduced in the receiving House.

(c) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a Commission Schedule and Review bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 187. Mr. PRYOR (for himself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. ANGEL INVESTMENT TAX CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 30E. ANGEL INVESTMENT TAX CREDIT.

''(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 25 percent of the qualified equity investments made by a qualified investor during the taxable year.

''(b) QUALIFIED EQUITY INVESTMENT.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified equity investment' means any equity investment in a qualified small business entity if—

''(A) such investment is acquired by the taxpayer at its original issue (directly or through an underwriter) solely in exchange for cash, and

''(B) such investment is designated for purposes of this section by the qualified small business entity.

''(2) EQUITY INVESTMENT.—The term 'equity investment' means—

''(A) any form of equity, including a general or limited partnership interest, common stock, preferred stock (other than nonqualified preferred stock as defined in section 351(g)(2)), with or without voting rights, without regard to seniority position and whether or not convertible into common stock or any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion, and

''(B) any capital interest in an entity which is a partnership.

''(3) REDEMPTIONS.—A rule similar to the rule of section 1202(c)(3) shall apply for purposes of this subsection.

''(c) QUALIFIED SMALL BUSINESS ENTITY.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified small business entity' means any domestic corporation or partnership if such corporation or partnership—

''(A) is a small business (as defined in section 41(b)(3)(D)(iii)),

''(B) has its headquarters in the United States,

''(C) is engaged in a high technology trade or business related to—

''(i) advanced materials, nanotechnology, or precision manufacturing,

''(ii) aerospace, aeronautics, or defense,

''(iii) biotechnology or pharmaceuticals,

''(iv) electronics, semiconductors, software, or computer technology,

''(v) energy, environment, or clean technologies,

''(vi) forest products or agriculture,

''(vii) information technology, communication technology, digital media, or photonics,

''(viii) life sciences or medical sciences,

''(ix) marine technology or aquaculture,

''(x) transportation, or

''(xi) any other high technology trade or business as determined by the Secretary,

''(D) has been in existence for less than 5 years as of the date of the qualified equity investment,

''(E) employs less than 100 full-time equivalent employees as of the date of such investment,

''(F) has more than 50 percent of the employees performing substantially all of their services in the United States as of the date of such investment, and

''(G) has equity investments designated for purposes of this paragraph.

''(2) DESIGNATION OF EQUITY INVESTMENTS.—For purposes of paragraph (1)(G), an equity investment shall not be treated as designated if such designation would result in the aggregate amount which may be taken into account under this section with respect to equity investments in such corporation or partnership exceeds—

''(A) $10,000,000, taking into account the total amount of all qualified equity investments made by all taxpayers for the taxable year and all preceding taxable years,

''(B) $2,000,000, taking into account the total amount of all qualified equity investments made by all taxpayers for such taxable year, and

''(C) $1,000,000, taking into account the total amount of all qualified equity investments made by the taxpayer for such taxable year.

''(d) QUALIFIED INVESTOR.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified investor' means an accredited investor, as defined by the Securities and Exchange Commission, investor network, or investor fund who review new or proposed businesses for potential investment.

''(2) INVESTOR NETWORK.—The term 'investor network' means a group of accredited investors organized for the sole purpose of making qualified equity investments.

''(3) INVESTOR FUND.—

''(A) IN GENERAL.—The term 'investor fund' means a corporation that for the applicable taxable year is treated as an S corporation or a general partnership, limited partnership, limited liability partnership, trust, or limited liability company and which for the applicable taxable year is not taxed as a corporation.

''(B) ALLOCATION OF CREDIT.—

''(i) IN GENERAL.—Except as provided in clause (ii), the credit allowed under subsection (a) shall be allocated to the shareholders or partners of the investor fund in proportion to their ownership interest or as specified in the fund's organizational documents, except that tax-exempt investors shall be allowed to transfer their interest to investors within the fund in exchange for future financial consideration.

''(ii) SINGLE MEMBER LIMITED LIABILITY COMPANY.—If the investor fund is a single member limited liability company that is disregarded as an entity separate from its owner, the credit allowed under subsection (a) may be claimed by such limited liability company's owner, if such owner is a person subject to the tax under this title.

''(4) EXCLUSION.—The term 'qualified investor' does not include—

''(A) a person controlling at least 50 percent of the qualified small business entity,

''(B) an employee of such entity, or

''(C) any bank, bank and trust company, insurance company, trust company, national bank, savings association or building and loan association for activities that are a part of its normal course of business.

''(e) NATIONAL LIMITATION ON AMOUNT OF INVESTMENTS DESIGNATED.—

''(1) IN GENERAL.—There is an angel investment tax credit limitation of $500,000,000 for each of calendar years 2011 through 2015.

''(2) ALLOCATION OF LIMITATION.—The limitation under paragraph (1) shall be allocated by the Secretary among qualified small business entities selected by the Secretary.

''(3) CARRYOVER OF UNUSED LIMITATION.—If the angel investment tax credit limitation for any calendar year exceeds the aggregate amount allocated under paragraph (2) for such year, such limitation for the succeeding calendar year shall be increased by the amount of such excess. No amount may be carried under the preceding sentence to any calendar year after 2020.

''(f) APPLICATION WITH OTHER CREDITS.—

''(1) BUSINESS CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—Except as provided in paragraph (2), the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this subsection) shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

''(2) PERSONAL CREDIT.—

''(A) IN GENERAL.—In the case of an individual who elects the application of this paragraph, for purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.

''(B) LIMITATION BASED ON AMOUNT OF TAX.—In the case of a taxable year to which section 26(a)(2) does not apply, the credit allowed under subpart A for any taxable year (determined after application of paragraph (1)) by reason of subparagraph (A) shall not exceed the excess of—

''(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(ii) the sum of the credits allowable under subpart A (other than this section) and section 27 for the taxable year.

''(C) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) by reason of subparagraph (A) exceeds the limitation imposed by section 26(a)(1) or subparagraph (B), whichever is applicable, for such taxable year, reduced by the sum of the credits allowable under subpart A (other than this section) for such taxable year, such excess shall be carried to each of the succeeding 20 taxable years to the extent that such unused credit may not be taken into account under subsection (a) by reason of subparagraph (A) for a prior taxable year because of such limitation.

''(g) SPECIAL RULES.—

''(1) RELATED PARTIES.—For purposes of this section—

''(A) IN GENERAL.—All related persons shall be treated as 1 person.

''(B) RELATED PERSONS.—A person shall be treated as related to another person if the relationship between such persons would result in the disallowance of losses under section 267 or 707(b).

''(2) BASIS.—For purposes of this subtitle, the basis of any investment with respect to which a credit is allowable under this section shall be reduced by the amount of such credit so allowed. This subsection shall not apply for purposes of sections 1202, 1397B, and 1400B.

''(3) RECAPTURE.—The Secretary shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) with respect to any qualified equity investment which is held by the taxpayer less

than 3 years, except that no benefit shall be recaptured in the case of—

''(A) transfer of such investment by reason of the death of the taxpayer,

''(B) transfer between spouses,

''(C) transfer incident to the divorce (as defined in section 1041) of such taxpayer, or

''(D) a transaction to which section 381(a) applies (relating to certain acquisitions of the assets of one corporation by another corporation).

''(h) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out this section, including regulations—

''(1) which prevent the abuse of the purposes of this section,

''(2) which impose appropriate reporting requirements, and

''(3) which apply the provisions of this section to newly formed entities.''.

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (35), by striking ''plus'';

(2) in paragraph (36), by striking the period at the end and inserting '', plus''; and

(3) by adding at the end the following new paragraph:

''(37) the portion of the angel investment tax credit to which section 30E(f)(1) applies.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 1016(a) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting '', and'', and by inserting after paragraph (37) the following new paragraph:

''(38) to the extent provided in section 30E(g)(2).''.

(2) Section 24(b)(3)(B) of such Code is amended by striking ''and 30D'' and inserting ''30D, and 30E''.

(3) Section 25(e)(1)(C)(ii) of such Code is amended by inserting ''30E,'' after ''30D,''.

(4) Section 25A(i)(5)(B) of such Code is amended by striking ''and 30D'' and inserting '', 30D, and 30E''.

(5) Section 25A(i)(5) of such Code is amended by inserting ''30E,'' after ''30D,''.

(6) Section 25B(g)(2) of such Code is amended by striking ''and 30D'' and inserting ''30D, and 30E''.

(7) Section 26(a)(1) of such Code is amended by striking ''and 30D'' and inserting ''30D, and 30E''.

(8) Section 30(c)(2)(B)(ii) of such Code is amended by striking ''and 30D'' and inserting '', 30D, and 30E''.

(9) Section 30B(g)(2)(B)(ii) of such Code is amended by striking ''and 30D'' and inserting ''30D, and 30E''.

(10) Section 30D(d)(2)(B)(ii) of such Code is amended by striking ''and 25D'' and inserting '', 25D, and 30E''.

(11) Section 904(i) of such Code is amended by striking ''and 30D'' and inserting ''30D, and 30E''.

(12) Section 1400C(d)(2) of such Code is amended by striking ''and 30D'' and inserting ''30D, and 30E''.

(d) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 30E. Angel investment tax credit.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to investments made after December 31, 2010, in taxable years ending after such date.

(f) REGULATIONS ON ALLOCATION OF NATIONAL LIMITATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Treasury or the Secretary's delegate shall prescribe regulations which specify—

(1) how small business entities shall apply for an allocation under section 30E(e)(2) of the Internal Revenue Code of 1986, as added by this section,

(2) the competitive procedure through which such allocations are made,

(3) the criteria for determining an allocation to a small business entity, including—

(A) whether the small business entity is located in a State that is historically underserved by angel investors and venture capital investors,

(B) whether the small business entity has received an angel investment tax credit, or its equivalent, from the State in which the small business entity is located and registered,

(C) whether small business entities in low-, medium-, and high-population density States are receiving allocations, and

(D) whether the small business entity has been awarded a Small Business Innovative Research or Small Business Technology Transfer grant from a Federal agency,

(4) the actions that such Secretary or delegate shall take to ensure that such allocations are properly made to qualified small business entities, and

(5) the actions that such Secretary or delegate shall take to ensure that angel investment tax credits are allocated and issued to the taxpayer.

(g) AUDIT AND REPORT.—Not later than January 31, 2014, the Comptroller General of the United States, pursuant to an audit of the angel investment tax credit program established under section 30E of the Internal Revenue Code of 1986 (as added by subsection (a)), shall report to Congress on such program, including all qualified small business entities that receive an allocation of an angel investment credit under such section.

(h) RESCISSION OF UNSPENT FEDERAL FUNDS TO OFFSET LOSS IN REVENUES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of all available unobligated funds, $5,000,000,000 in appropriated discretionary funds are hereby rescinded.

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

SA 188. Mr. PRYOR (for himself, Mr. KOHL, and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. ESTABLISHMENT OF SMALL BUSINESS SAVINGS ACCOUNTS.

(a) IN GENERAL.—Subpart A of part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 408A the following new section:

''SEC. 408B. SMALL BUSINESS SAVINGS ACCOUNTS.

''(a) GENERAL RULE.—Except as provided in this section, a Small Business Savings Account shall be treated for purposes of this title in the same manner as an individual retirement plan.

''(b) SMALL BUSINESS SAVINGS ACCOUNT.—For purposes of this title, the term 'Small Business Savings Account' means a tax preferred savings plan which is designated at the time of establishment of the plan as a Small Business Savings Account. Such designation shall be made in such manner as the Secretary may prescribe.

''(c) TREATMENT OF CONTRIBUTIONS.—

''(1) NO DEDUCTION ALLOWED.—No deduction shall be allowed under section 219 for a contribution to a Small Business Savings Account.

''(2) CONTRIBUTION LIMIT.—

''(A) IN GENERAL.—The aggregate amount of contributions for any taxable year to all Small Business Savings Accounts maintained for the benefit of an individual shall not exceed $10,000.

''(B) AGGREGATE LIMITATION.—The aggregate of the amounts which may be taken into account under subparagraph (A) for all taxable years with respect to all Small Business Savings Accounts maintained for the benefit of an individual shall not exceed $150,000.

''(C) COST OF LIVING ADJUSTMENT.—The Secretary shall adjust annually the $10,000 amount in subparagraph (A) for increases in the cost-of-living at the same time and in the same manner as adjustments under section 415(d); except that the base period shall be the calendar quarter beginning July 1, 2011, and any increase which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.

''(3) CONTRIBUTIONS PERMITTED AFTER AGE 70½.—Contributions to a Small Business Savings Account may be made even after the individual for whom the account is maintained has attained age 70½.

''(4) ROLLOVERS FROM RETIREMENT PLANS NOT ALLOWED.—A taxpayer shall not be allowed to make a qualified rollover contribution to a Small Business Savings Account from any qualified retirement plan (as defined in section 4974(c)).

''(d) DISTRIBUTION RULES.—For purposes of this title—

''(1) GENERAL RULES.—

''(A) LIMITATIONS ON DISTRIBUTIONS.—All qualified distributions from a Small Business Savings Account—

''(i) shall be limited to a single business, and

''(ii) must be disbursed not later than the last day of the 5th taxable year beginning after the initial disbursement.

''(B) EXCLUSIONS FROM GROSS INCOME.—Any qualified distribution from a Small Business Savings Account shall not be includible in gross income.

''(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection, the term 'qualified distribution' means any payment or distribution made for operating capital, the purchase of equipment or facilities, marketing, training, incorporation, and accounting fees.

''(3) NONQUALIFIED DISTRIBUTIONS.—

''(A) IN GENERAL.—In applying section 72 to any distribution from a Small Business Savings Account which is not a qualified distribution, such distribution shall be treated as made from contributions to the Small Business Savings Account to the extent that such distribution, when added to all previous distributions from the Small Business Savings Account, does not exceed the aggregate amount of contributions to the Small Business Savings Account.

''(B) TREATMENT OF AMOUNTS REMAINING IN ACCOUNT.—Any remaining amount in a Small Business Savings Account following the date described in paragraph (1)(A)(ii) shall be treated as distributed during the taxable year following such date and such distribution shall not be treated as a qualified distribution.

''(4) ROLLOVERS TO A ROTH IRA.—Subject to the application of the treatment of contributions in section 408A(c), distributions from a Small Business Savings Account may be rolled over into a Roth IRA.''.

(b) EXCESS CONTRIBUTIONS.—Section 4973 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(h) EXCESS CONTRIBUTIONS TO SMALL BUSINESS SAVINGS ACCOUNTS.—For purposes of this section, in the case of contributions to all Small Business Savings Accounts (within the meaning of section 408B(b)) maintained for the benefit of an individual, the term 'excess contributions' means the sum of—

''(1) the excess (if any) of—

''(A) the amount contributed to such accounts for the taxable year, over

''(B) the amount allowable as a contribution under section 408B(c)(2) for such taxable year, and

''(2) the amount determined under this subsection for the preceding taxable year, reduced by the sum of—

''(A) the distributions out of the accounts for the taxable year, and

''(B) the excess (if any) of—

''(i) the maximum amount allowable as a contribution under section 408B(c)(2) for such taxable year, over

''(ii) the amount contributed to such accounts for such taxable year.''.

(c) CONFORMING AMENDMENT.—The table of sections for subpart A of part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 408A the following new item:

''Sec. 408B. Small Business Savings Accounts.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2010.

SEC. 505. REDUCTION OF GOVERNMENT PRINTING COSTS.

(a) STRATEGY AND GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the Executive departments and independent establishments, as those terms are defined in chapter 1 of title 5, United States Code—

(1) to develop a strategy to reduce Government printing costs during the 10-year period beginning on September 1, 2011; and

(2) to issue Government-wide guidelines for printing that implements the strategy developed under paragraph (1).

(b) CONSIDERATIONS.—

(1) IN GENERAL.—In developing the strategy under subsection (a)(1), the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for—

(A) duplex and color printing;

(B) the use of digital file systems by Executive departments and independent establishments; and

(C) determining which Government publications might be made available on Government Web sites instead of being printed.

(2) ESSENTIAL PRINTED DOCUMENTS.—The Director of the Office of Management and Budget shall ensure that printed versions of documents that the Director determines are essential to individuals—

(A) who are entitled to or enrolled for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(B) who are enrolled for benefits under part B of such title;

(C) who receive old-age survivors' or disability insurance payments under title II of such Act (42 U.S.C. 401 et seq.), or

(D) who have limited ability to use or access the Internet,

are available after the issuance of the guidelines under subsection (a)(2).

SA 189. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, after line 23, add the following:

SEC. 2___. INITIATIVE TO PUBLICIZE THE SBIR PROGRAMS AND STTR PROGRAMS TO VETERANS.

The Administrator, in consultation with the Secretary of Veterans Affairs, shall develop an initiative—

(1) to publicize the SBIR programs and STTR programs of the Federal agencies to veterans recently separated from service in the Armed Forces; and

(2) to encourage veterans with applicable technical skills to apply for awards under the SBIR programs and STTR programs of the Federal agencies.

SA 190. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. PROVIDING EXPLANATIONS TO UNSUCCESSFUL APPLICANTS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

''(nn) PROVIDING EXPLANATIONS TO UNSUCCESSFUL APPLICANTS.—Each Federal agency required to carry out an SBIR program or STTR program shall—

''(1) include in each solicitation relating to a contract awarded under the SBIR program or STTR program a notice in plain language stating that a small business concern that responds to the solicitation and is not awarded the contract may request from the Federal agency an explanation of the reasons the small business concern was not awarded the contract; and

''(2) upon request, provide to a small business concern an explanation of the reasons the small business concern was not awarded a contract under the SBIR program or STTR program.''.

SA 191. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3___. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(13) NOTIFICATION REQUIREMENT.—

''(A) IN GENERAL.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall—

''(i) notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer; and

''(ii) include with the offer a written acknowledgment by the small business concern that the small business concern has received the notice required under clause (i).

''(B) PENALTIES.—If an offeror fails to notify a small business concern under subparagraph (A)(i), the head of the Federal agency that let the contract described in subparagraph (A) shall—

''(i) for the first such failure by the offeror, fine the offeror, in an amount equal to 20 percent of the value of the contract;

''(ii) for the second such failure by the offeror—

''(I) fine the offeror, in an amount equal to 50 percent of the value of the contract; and

''(II) debar the offeror from contracting with the United States for a period of 1 year; and

''(iii) for the third such failure by the offeror, debar the offeror from contracting with the United States.

''(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that allows a subcontractor to report fraudulent activity by a contractor with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).''.

SA 192. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. _____. MINORITY BUSINESS DEVELOPMENT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) HISTORICALLY DISADVANTAGED INDIVIDUAL.—The term ''historically disadvantaged individual'' means any individual who is a member of a group that is designated as eligible to receive assistance under section 1400.1 of title 15, Code of Federal Regulations, as in effect on January 1, 2009.

(2) PRINCIPAL.—The term ''principal'' means any person that the Director determines exercises significant control over the regular operations of a business entity.

(b) PROGRAM REQUIRED.—The Director of the Minority Business Development Agency shall establish the Minority Business Development Program (in this section referred to as the ''Program'') to assist qualified minority businesses. The Program shall provide contract procurement assistance to such businesses.

(c) QUALIFIED MINORITY BUSINESS.—

(1) CERTIFICATION.—For purposes of the Program, the Director may certify as a qualified minority business any entity that satisfies each of the following:

(A) Not less than 51 percent of the entity is directly and unconditionally owned or controlled by historically disadvantaged individuals.

(B) Each officer or other individual who exercises control over the regular operations of the entity is a historically disadvantaged individual.

(C) The net worth of each principal of the entity is not greater than $2,000,000. (The equity of a disadvantaged owner in a primary personal residence shall be considered in this calculation.)

(D) The principal place of business of the entity is in the United States.

(E) Each principal of the entity maintains good character in the determination of the Director.

(F) The entity engages in competitive and bona fide commercial business operations in not less than one sector of industry that has

a North American Industry Classification System code.

(G) The entity submits reports to the Director at such time, in such form, and containing such information as the Director may require.

(H) Any additional requirements that the Director determines appropriate.

(2) TERM OF CERTIFICATION.—A certification under this subsection shall be for a term of 5 years and may not be renewed.

(d) SET-ASIDE CONTRACTING OPPORTUNITIES.—

(1) IN GENERAL.—The Director may enter into agreements with the United States Government and any department, agency, or officer thereof having procurement powers for purposes of providing for the fulfillment of procurement contracts and providing opportunities for qualified minority businesses with regard to such contracts.

(2) QUALIFICATIONS ON PARTICIPATION.—The Director shall by rule establish requirements for participation under this section by a qualified minority business in a contract.

(3) ANNUAL LIMIT ON NUMBER OF CONTRACTS PER QUALIFIED MINORITY BUSINESS.—A qualified minority business may not participate under this section in contracts in an amount that exceeds $10,000,000 for goods and services each fiscal year.

(4) LIMITS ON CONTRACT AMOUNTS.—

(A) GOODS AND SERVICES.—Except as provided in subparagraph (B), a contract for goods and services under this subsection may not exceed $6,000,000.

(B) MANUFACTURING AND CONSTRUCTION.—A contract for manufacturing and construction services under this subsection may not exceed $10,000,000.

(e) TERMINATION FROM THE PROGRAM.—The Director may terminate a qualified minority business from the Program for any violation of a requirement of subsections (c) and (d) by that qualified minority business, including the following:

(1) Conduct by a principal of the qualified minority business that indicates a lack of business integrity.

(2) Willful failure to comply with applicable labor standards and obligations.

(3) Consistent failure to tender adequate performance with regard to contracts under the Program.

(4) Failure to obtain and maintain relevant certifications.

(5) Failure to pay outstanding obligations owed to the Federal Government.

SA 193. Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. COBURN, Mr. WEBB, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the end of title V, add the following:

SEC. 504. NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by striking section 33 (15 U.S.C. 657c).

(b) CORPORATION.—On and after the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or in any other manner authorized by the Federal Government.

(c) CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.), as amended by this Act, is amended—

(A) by redesignating sections 34 through 45 as sections 33 through 44, respectively;

(B) in section 9(k)(1)(D) (15 U.S.C. 638(k)(1)(D)), as amended by section 201(b)(3) of this Act, by striking ''section 34(d)'' and inserting ''section 33(d)'';

(C) in section 9(s), as added by section 201(a) of this Act—

(i) by striking ''section 34'' each place it appears and inserting ''section 33'';

(ii) in paragraph (1)(E), by striking ''section 34(e)'' and inserting ''section 33(e)''; and

(iii) in paragraph (7)(B), by striking ''section 34(d)'' and inserting ''section 33(d)'';

(D) in section 35(d) (15 U.S.C. 657i(d)), as so redesignated and as amended by section 201(b)(5), by striking ''section 42'' and inserting ''section 41'';

(E) in section 38(d) (15 U.S.C. 657l(d)), as so redesignated and as amended by section 201(b)(6) of this Act, by striking ''section 42'' and inserting ''section 41''; and

(F) in section 39(b) (15 U.S.C. 657m(b)), as so redesignated and as amended by section 201(b)(7) of this Act, by striking ''section 42'' and inserting ''section 41''.

(2) THIS ACT.—

(A) IN GENERAL.—The amendments made by section 205(b) of this Act shall have no force or effect.

(B) PROSPECTIVE REPEAL OF THE SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—Effective 5 years after the date of enactment of this Act, the Small Business Act (15 U.S.C. 631 et seq.) is amended—

(i) by striking section 42, as added by section 205(a) of this Act and redesignated by paragraph (1)(A) of this subsection; and

(ii) by redesignating sections 43 and 44, as redesignated by paragraph (1)(A) of this subsection, as sections 42 and 43, respectively.

(3) VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999.—Section 203(c)(5) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking ''In cooperation with the National Veterans Business Development Corporation, develop'' and inserting ''Develop''.

(4) TITLE 10.—Section 1142(b)(13) of title 10, United States Code, is amended by striking ''and the National Veterans Business Development Corporation''.

(5) TITLE 38.—Section 3452(h) of title 38, United States Code, is amended by striking ''any of the'' and all that follows and inserting ''any small business development center described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as that term is defined in section 3675(c)(2).''.

SA 194. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. AGENCY ASSESSMENT OF SIGNIFICANT REGULATORY ACTIONS.

(a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Office of Information and Regulatory Affairs in the Office of Management and Budget;

(2) the term ''agency'' has the same meaning as in section 3502(1) of title 44, United States Code;

(3) the term ''disseminated''—

(A) means prepared by an agency and distributed to the public or regulated entities; and

(B) does not include—

(i) distribution limited to Federal Government employees;

(ii) intra- or interagency use or sharing of Federal Government information; and

(iii) responses to requests for agency records under section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), section 552a of title 5, United States Code, (commonly referred to as the ''Privacy Act''), the Federal Advisory Committee Act (5 U.S.C. App.), or other similar laws;

(4) the term ''guidance document'' means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue;

(5) the term ''regulation'' means an agency statement of general applicability and future effect, which the agency intends to have the force and effect of law, that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency;

(6) the term ''regulatory action'' means any substantive action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking;

(7) the term ''significant guidance document''—

(A) means a guidance document disseminated to regulated entities or the general public that may reasonably be anticipated to—

(i) lead to an annual effect on the economy of $ 100,000,000 or more or affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(ii) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(iii) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(iv) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section; and

(B) does not include—

(i) legal advisory opinions for internal Executive Branch use and not for release (such as Department of Justice Office of Legal Counsel opinions);

(ii) briefs and other positions taken by agencies in investigations, pre-litigation, litigation, or other enforcement proceedings;

(iii) speeches;

(iv) editorials;

(v) media interviews;

(vi) press materials;

(vii) congressional correspondence;

(viii) guidance documents that pertain to a military or foreign affairs function of the United States (other than guidance on procurement or the import or export of non-defense articles and services);

(ix) grant solicitations;

(x) warning letters;

(xi) case or investigatory letters responding to complaints involving fact-specific determinations;

(xii) purely internal agency policies;

(xiii) guidance documents that pertain to the use, operation or control of a government facility;

(xiv) internal guidance documents directed solely to other agencies; and

(xv) any other category of significant guidance documents exempted by an agency head in consultation with the Administrator; and

(8) the term ''significant regulatory action'' means any regulatory action that is likely to result in a regulation that may—

(A) have an annual effect on the economy of $100,000,000 or more or adversely affect in

a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(B) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(C) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(D) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section.

(b) AGENCY ASSESSMENT OF SIGNIFICANT REGULATORY ACTIONS.—For each significant regulatory action, each agency shall submit, at such times specified by the Administrator, a report to the Office of Information and Regulatory Affairs that includes—

(1) an assessment, including the underlying analysis, of benefits anticipated from the significant regulatory action, such as—

(A) the promotion of the efficient functioning of the economy and private markets;

(B) the enhancement of health and safety;

(C) the protection of the natural environment; and

(D) the elimination or reduction of discrimination or bias;

(2) to the extent feasible, a quantification of the benefits assessed under paragraph (1);

(3) an assessment, including the underlying analysis, of costs anticipated from the regulatory action, such as—

(A) the direct cost both to the Federal Government in administering the significant regulatory action and to businesses, consumers, and others (including State, local, and tribal officials) in complying with the regulation; and

(B) any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and competitiveness), health, safety, the natural environment, job creation, the prices of consumer goods, and energy costs;

(4) to the extent feasible, a quantification of the costs assessed under paragraph (3); and

(5) an assessment, including the underlying analysis, of costs and benefits of potentially effective and reasonably feasible alternatives to the planned significant regulatory action, identified by the agency or the public (including improving the current regulation and reasonably viable nonregulatory actions), and an explanation why the planned regulatory action is preferable to the identified potential alternatives.

SA 195. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. REDUCTION OR WAIVER OF CIVIL PENALTIES IMPOSED ON SMALL ENTITIES.

(a) IN GENERAL.—Chapter 6 of title 5, United States Code, is amended by adding at the end the following:

"§ 613. Reduction or waiver of civil penalties imposed on small entities

''(a) Upon the request of a small entity, a Regional Advocate of the Office of Advocacy of the Small Business Administration (referred to in this section as a 'Regional Advocate') shall submit to an agency a request that the agency reduce or waive a civil penalty imposed on the small entity, if the Regional Advocate determines that—

''(1) the civil penalty was the result of a first-time violation by the small entity of a requirement to report information to the agency; and

''(2) the reduction or waiver is consistent with the conditions and exclusions described in paragraphs (1), (3), (4), (5), and (6) of section 223(b) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121; 110 Stat. 862).

''(b) Not later than 60 days after the receipt of a request from a Regional Advocate under subsection (a), an agency shall send written notice of the decision of the agency with respect to the request, together with the reasons for the decision, to the Regional Advocate that made the request and the relevant small entity.

''(c) The Chief Counsel for Advocacy shall submit to Congress an annual report summarizing—

''(1) the requests received by the Regional Advocates from small entities under subsection (a); and

''(2) the requests submitted by the Regional Advocates to agencies under subsection (a) and the results of the requests.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 6 of title 5, United States Code, is amended by adding at the end the following:

''613. Reduction or waiver of civil penalties imposed on small entities.''.

SA 196. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. REGULATORY REFORM.

(a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Office of Information and Regulatory Affairs in the Office of Management and Budget;

(2) the term ''agency'' has the same meaning as in section 3502(1) of title 44, United States Code;

(3) the term ''economically significant guidance document'' means a significant guidance document that may reasonably be anticipated to lead to an annual effect on the economy of $ 100,000,000 or more or adversely affect in a material way the economy or a sector of the economy, except that economically significant guidance documents do not include guidance documents on Federal expenditures and receipts;

(4) the term ''disseminated''—

(A) means prepared by an agency and distributed to the public or regulated entities; and

(B) does not include—

(i) distribution limited to Federal Government employees;

(ii) intra- or interagency use or sharing of Federal Government information; and

(iii) responses to requests for agency records under section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), section 552a of title 5, United States Code, (commonly referred to as the ''Privacy Act''), the Federal Advisory Committee Act (5 U.S.C. App.), or other similar laws;

(5) the term ''guidance document'' means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue;

(6) the term ''regulation'' means an agency statement of general applicability and future effect, which the agency intends to have the force and effect of law, that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency;

(7) the term ''regulatory action'' means any substantive action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking;

(8) the term ''significant guidance document''—

(A) means a guidance document disseminated to regulated entities or the general public that may reasonably be anticipated to—

(i) lead to an annual effect on the economy of $ 100,000,000 or more or affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(ii) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(iii) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(iv) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section; and

(B) does not include—

(i) legal advisory opinions for internal Executive Branch use and not for release (such as Department of Justice Office of Legal Counsel opinions);

(ii) briefs and other positions taken by agencies in investigations, pre-litigation, litigation, or other enforcement proceedings;

(iii) speeches;

(iv) editorials;

(v) media interviews;

(vi) press materials;

(vii) congressional correspondence;

(viii) guidance documents that pertain to a military or foreign affairs function of the United States (other than guidance on procurement or the import or export of non-defense articles and services);

(ix) grant solicitations;

(x) warning letters;

(xi) case or investigatory letters responding to complaints involving fact-specific determinations;

(xii) purely internal agency policies;

(xiii) guidance documents that pertain to the use, operation or control of a government facility;

(xiv) internal guidance documents directed solely to other agencies; and

(xv) any other category of significant guidance documents exempted by an agency head in consultation with the Administrator; and

(9) the term ''significant regulatory action'' means any regulatory action that is likely to result in a regulation that may—

(A) have an annual effect on the economy of $100,000,000 or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(B) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(C) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(D) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section.

(b) AGENCY ASSESSMENT OF SIGNIFICANT REGULATORY ACTIONS.—For each significant regulatory action, each agency shall submit,

at such times specified by the Administrator, a report to the Office of Information and Regulatory Affairs that includes—

(1) an assessment, including the underlying analysis, of benefits anticipated from the significant regulatory action, such as—

(A) the promotion of the efficient functioning of the economy and private markets;

(B) the enhancement of health and safety;

(C) the protection of the natural environment; and

(D) the elimination or reduction of discrimination or bias;

(2) to the extent feasible, a quantification of the benefits assessed under paragraph (1);

(3) an assessment, including the underlying analysis, of costs anticipated from the regulatory action, such as—

(A) the direct cost both to the Federal Government in administering the significant regulatory action and to businesses, consumers, and others (including State, local, and tribal officials) in complying with the regulation; and

(B) any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and competitiveness), health, safety, the natural environment, job creation, the prices of consumer goods, and energy costs;

(4) to the extent feasible, a quantification of the costs assessed under paragraph (3); and

(5) an assessment, including the underlying analysis, of costs and benefits of potentially effective and reasonably feasible alternatives to the planned significant regulatory action, identified by the agency or the public (including improving the current regulation and reasonably viable nonregulatory actions), and an explanation why the planned regulatory action is preferable to the identified potential alternatives.

(c) AGENCY GOOD GUIDANCE PRACTICES.—

(1) AGENCY STANDARDS FOR SIGNIFICANT GUIDANCE DOCUMENTS.—

(A) APPROVAL PROCEDURES.—

(i) IN GENERAL.—Each agency shall develop or have written procedures for the approval of significant guidance documents, which shall ensure that the issuance of significant guidance documents is approved by appropriate senior agency officials.

(ii) REQUIREMENT.—Employees of an agency may not depart from significant guidance documents without appropriate justification and supervisory concurrence.

(B) STANDARD ELEMENTS.—Each significant guidance document—

(i) shall—

(I) include the term ''guidance'' or its functional equivalent;

(II) identify the agency or office issuing the document;

(III) identify the activity to which and the persons to whom the significant guidance document applies;

(IV) include the date of issuance;

(V) note if the significant guidance document is a revision to a previously issued guidance document and, if so, identify the document that the significant guidance document replaces;

(VI) provide the title of the document and a document identification number; and

(VII) include the citation to the statutory provision or regulation (in Code of Federal Regulations format) which the significant guidance document applies to or interprets; and

(ii) shall not include mandatory terms such as ''shall'', ''must'', ''required'', or ''requirement'' unless—

(I) the agency is using those terms to describe a statutory or regulatory requirement; or

(II) the terminology is addressed to agency staff and will not foreclose agency consideration of positions advanced by affected private parties.

(2) PUBLIC ACCESS AND FEEDBACK FOR SIGNIFICANT GUIDANCE DOCUMENTS.—

(A) INTERNET ACCESS.—

(i) IN GENERAL.—Each agency shall—

(I) maintain on the website for the agency, or as a link on the website of the agency to the electronic list posted on a website of a component of the agency a list of the significant guidance documents in effect of the agency, including a link to the text of each significant guidance document that is in effect; and

(II) not later than 30 days after the date on which a significant guidance document is issued, update the list described in clause (i).

(ii) LIST REQUIREMENTS.—The list described in subparagraph (A)(i) shall—

(I) include the name of each—

(aa) significant guidance document;

(bb) document identification number; and

(cc) issuance and revision dates; and

(II) identify significant guidance documents that have been added, revised, or withdrawn in the preceding year.

(B) PUBLIC FEEDBACK.—

(i) IN GENERAL.—Each agency shall establish and clearly advertise on the website for the agency a means for the public to electronically submit—

(I) comments on significant guidance documents; and

(II) a request for issuance, reconsideration, modification, or rescission of significant guidance documents.

(ii) AGENCY RESPONSE.—Any comments or requests submitted under subparagraph (A)—

(I) are for the benefit of the agency; and

(II) shall not require a formal response from the agency.

(iii) OFFICE FOR PUBLIC COMMENTS.—

(I) IN GENERAL.—Each agency shall designate an office to receive and address complaints from the public relating to—

(aa) the failure of the agency to follow the procedures described in this section; or

(bb) the failure to treat a significant guidance document as a binding requirement.

(II) WEBSITE.—The agency shall provide, on the website of the agency, the name and contact information for the office designated under clause (i).

(3) NOTICE AND PUBLIC COMMENT FOR ECONOMICALLY SIGNIFICANT GUIDANCE DOCUMENTS.—

(A) IN GENERAL.—Except as provided in paragraph (2), in preparing a draft of an economically significant guidance document, and before issuance of the final significant guidance document, each agency shall—

(i) publish a notice in the Federal Register announcing that the draft document is available;

(ii) post the draft document on the Internet and make a tangible copy of that document publicly available (or notify the public how the public can review the guidance document if the document is not in a format that permits such electronic posting with reasonable efforts);

(iii) invite public comment on the draft document; and

(iv) prepare and post on the website of the agency a document with responses of the agency to public comments.

(B) EXCEPTIONS.—In consultation with the Administrator, an agency head may identify a particular economically significant guidance document or category of such documents for which the procedures of this subsection are not feasible or appropriate.

(4) EMERGENCIES.—

(A) IN GENERAL.—In emergency situations or when an agency is obligated by law to act more quickly than normal review procedures allow, the agency shall notify the Administrator as soon as possible and, to the extent practicable, comply with this subsection.

(B) SIGNIFICANT GUIDANCE DOCUMENTS SUBJECT TO STATUTORY OR COURT-IMPOSED DEADLINE.—For a significant guidance document that is governed by a statutory or court-imposed deadline, the agency shall, to the extent practicable, schedule the proceedings of the agency to permit sufficient time to comply with this subsection.

(5) EFFECTIVE DATE.—This section shall take effect 60 days after the date of enactment of this Act.

SA 197. Mrs. HUTCHISON (for herself, Mr. HATCH, Mr. MORAN, Mr. COCHRAN, Mr. KYL, Ms. MURKOWSKI, and Mr. BARRASSO) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. EFFECTIVE DATE OF PPACA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the provisions of the Patient Protection and Affordable Care Act (Public Law 111–148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendments made by such Acts, that are not in effect on the date of enactment of this Act shall not be in effect until the date on which final judgment is entered in all cases challenging the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986 that are pending before a Federal court on the date of enactment of this Act.

(b) PROMULGATION OF REGULATIONS.—Notwithstanding any other provision of law, the Federal Government shall not promulgate regulations under the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendments made by such Acts, or otherwise prepare to implement such Acts (or amendments made by such Acts), until the date on which final judgment is entered in all cases challenging the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986 that are pending before a Federal court on the date of enactment of this Act.

SA 198. Mrs. HUTCHISON (for herself, Mr. CORNYN, Mr. VITTER, Ms. MURKOWSKI, Mr. SHELBY, Mr. WICKER, Mr. COCHRAN, and Mr. WEBB) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5____. EXTENSION OF CERTAIN OUTER CONTINENTAL SHELF LEASES.

(a) DEFINITION OF COVERED LEASE.—In this section, the term ''covered lease'' means each oil and gas lease for the Gulf of Mexico outer Continental Shelf region issued under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) that was—

(1) not producing as of April 30, 2010; or

(2) suspended from operations, permit processing, or consideration, in accordance with the moratorium set forth in the Minerals Management Service Notice to Lessees and Operators No. 2010–N04, dated May 30, 2010, or the decision memorandum of the Secretary of the Interior entitled ''Decision memorandum regarding the suspension of certain

offshore permitting and drilling activities on the Outer Continental Shelf'' and dated July 12, 2010.

(b) EXTENSION OF COVERED LEASES.—The Secretary of the Interior shall extend the term of a covered lease by 1 year.

(c) EFFECT ON SUSPENSIONS OF OPERATIONS OR PRODUCTION.—The extension of covered leases under this Act is in addition to any suspension of operations or suspension of production granted by the Minerals Management Service or Bureau of Ocean Energy Management, Regulation and Enforcement after May 1, 2010.

SA 199. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—CUT FEDERAL SPENDING ACT OF 2011

SEC. __01. SHORT TITLE AND DEFINITION.

(a) SHORT TITLE.—This title may be cited as the ''Cut Federal Spending Act of 2011''.

(b) DEFUND.—In this Act, the term ''defund'' with respect to an agency or program means—

(1) all unobligated balances of the discretionary appropriations, including any appropriations under this Act, made available to the agency or program are rescinded; and

(2) any statute authorizing the funding or activities of the agency or program is deemed to be repealed.

SEC. __02. LEGISLATIVE BRANCH.

Amounts made available for fiscal year 2011 for the legislative branch are reduced by $654,000,000.

SEC. __03. JUDICIAL BRANCH.

Amounts made available to the judicial branch for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $155,000,000.

SEC. __04. AGRICULTURE.

Amounts made available to the Department of Agriculture for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,427,000,000.

SEC. __05. COMMERCE.

Amounts made available to the Department of Commerce for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $2,700,000,000.

SEC. __06. DEFENSE.

Amounts made available to the Department of Defense for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $30,000,000,000.

SEC. __07. EDUCATION.

Amounts made available to the Department of Education for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $46,258,000,000, except for the Pell grant program which shall be capped at $17,000,000,000.

SEC. __08. ENERGY.

Amounts made available to the Department of Energy for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $9,602,000,000.

SEC. __09. HEALTH AND HUMAN SERVICES.

Amounts made available to the Department of Health and Human Services for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $26,510,000,000.

SEC. __10. HOMELAND SECURITY.

Amounts made available to the Department of Homeland Security for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $4,603,000,000.

SEC. __11. HOUSING AND URBAN DEVELOPMENT.

Amounts made available to the Department of Housing and Urban Development for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $22,000,000,000.

SEC. __12. INTERIOR.

Amounts made available to the Department of the Interior for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,808,000,000.

SEC. __13. JUSTICE.

Amounts made available to the Department of Justice for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $4,811,000,000.

SEC. __14. LABOR.

Amounts made available to the Department of Labor for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $3,260,000,000.

SEC. __15. STATE.

Amounts made available to the Department of State for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $8,216,000,000.

SEC. __16. INTERNATIONAL ASSISTANCE.

International assistance programs are defunded effective on the date of enactment of this Act.

SEC. __17. TRANSPORTATION.

Amounts made available to the Department of Transportation for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $14,724,000,000.

SEC. __18. VETERANS' AFFAIRS.

The Department of Veterans' Affairs shall not be subject to funding cuts in fiscal year 2011.

SEC. __19. CORPS OF ENGINEERS.

Amounts made available to the Corps of Engineers for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $4,135,000,000.

SEC. __20. ENVIRONMENTAL PROTECTION AGENCY.

Amounts made available to the Environmental Protection Agency for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $3,506,000,000.

SEC. __21. GENERAL SERVICES ADMINISTRATION.

Amounts made available to the General Services Administration for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,140,000,000.

SEC. __22. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Amounts made available to the National Aeronautics and Space Administration for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $480,000,000.

SEC. __22. NATIONAL SCIENCE FOUNDATION.

Amounts made available to the National Science Foundation for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,733,000,000.

SEC. __23. OFFICE OF PERSONNEL MANAGEMENT.

Amounts made available to the Office of Personnel Management for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $133,000,000.

SEC. __24. SOCIAL SECURITY ADMINISTRATION.

The Social Security Administration shall not be subject to funding cuts in fiscal year 2011.

SEC. __25. REPEAL OF INDEPENDENT AGENCIES.

The following agencies are defunded effective on the date of enactment of this Act:

(1) Affordable Housing Program.

(2) Commission on Fine Arts.

(3) Consumer Product Safety Commission.

(4) Corporation for Public Broadcasting.

(5) National Endowment for the Arts.

(6) National Endowment for the Humanities.

(7) State Justice Institute.

SA 200. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. REDUCTION OF FEDERAL PELL GRANT FUNDING.

Notwithstanding any other provision of law, the amount appropriated for Federal Pell Grants under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) for fiscal year 2011 shall equal the amount appropriated for Federal Pell Grants for fiscal year 2009.

SA 201. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIREMENTS WITH RESPECT TO GRANTING WAIVERS.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall—

(1) publish detailed criteria used by the Secretary to determine approval of an application submitted by a group health plan, health insurance issuer, employer, State, municipality, or other entity eligible for a waiver, adjustment, or other compliance relief provided for under the authority of the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act (Public Law 111–152), including—

(A) how much of a significant decrease in benefits with respect to a health insurance plan or health insurance coverage would need to occur in order have such a waiver application approved by the Secretary; and

(B) how much of a significant increase in premiums with respect to a health insurance plan or health insurance coverage would need to occur to have such a waiver application approved by the Secretary;

(2) publish on the Internet website of the Department of Health and Human Services each application for a waiver described in paragraph (1); and

(3) publish on the Internet website of the Department of Health and Human Services the determination of the Secretary whether to approve or reject such application, and the reason for such approval or rejection.

(b) PROTECTION OF PROPRIETARY INFORMATION.—In carrying out subsection (a), the Secretary shall ensure the confidentiality of proprietary information of each applicant.

(c) PROHIBITION OF PREFERENTIAL TREATMENT.—In no case, during any stage of the application process for an application described in subsection (a)(1), shall preferential

treatment be given to an applicant based on political contributions or association with a labor union, a health plan provided for under a collective bargaining agreement, or another organized labor group.

SA 202. Mr. ENSIGN (for himself, Ms. MURKOWSKI, Mr. MCCAIN, Mr. MORAN, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLE ___—CASTING LIGHT ON EAJA AGENCY RECORDS FOR OVERSIGHT ACT OF 2011

SEC. __01. SHORT TITLE.

This title may be cited as the ''Casting Light on EAJA Agency Records for Oversight Act of 2011''.

SEC. __02. FINDINGS.

The Congress finds the following:

(1) The Equal Access to Justice Act, established in 1980 to provide small businesses, individuals, and public interest groups the opportunity to recover attorney fees and costs, is funded through a permanent Congressional appropriation.

(2) The Equal Access to Justice Act, as passed, includes statutory reporting requirements to Congress on the administration and payments funded through the Act.

(3) The Department of Justice and the Administrative Conference of the United States ceased reporting to Congress on EAJA payments and administration in 1995.

(4) Payments authorized by EAJA have continued every year without Congressional oversight.

SEC. __03. DATA COMPILATION, REPORTING, AND PUBLIC ACCESS.

(a) REPORTING IN AGENCY ADJUDICATIONS.—Section 504(c) of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking ''After consultation with the Chairman of the Administrative Conference of the United States, each'' and inserting ''Each''; and

(2) by striking subsection (e) and inserting the following:

''(e)(1) The Attorney General of the United States shall issue an annual, online report to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year under this section. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, a justification for awards exceeding the cap provided in subsection (b)(1)(A), and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online, and contain a searchable database, total awards given, and total number of applications for the award of fees and other expenses that were filed, defended, and heard, and shall include, with respect to each such application, the following:

''(A) Name of the party seeking the award of fees and other expenses.

''(B) The agency to which the application for the award was made.

''(C) The name of administrative law judges in the case.

''(D) The disposition of the application, including any appeal of action taken on the application.

''(E) The hourly rates of attorneys and expert witnesses stated in the application that was awarded.

''(2) The report under paragraph (1) shall cover payments of fees and other expenses under this section that are made under a settlement agreement.

''(3) Each agency shall provide the Attorney General with such information as is necessary for the Attorney General to comply with the requirements of this subsection.''.

(b) REPORTING IN COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by inserting after paragraph (4), the following:

''(5) The Attorney General of the United States shall issue an annual, online report to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year under this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, a justification for awards exceeding the cap provided in paragraph (2)(A)(ii), and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online and shall contain a searchable database of total awards given and the total number of cases filed, defended, or heard, and shall include with respect to each such case the following:

''(A) The name of the party seeking the award of fees and other expenses in the case.

''(B) The district court hearing the case.

''(C) The names of presiding judges in the case.

''(D) The name of the agency involved in the case.

''(E) The disposition of the application for fees and other expenses, including any appeal of action taken on the application.

''(F) The hourly rates of attorneys and expert witnesses stated in the application that was awarded.

The report under this paragraph shall cover payments of fees and other expenses under this subsection that are made under a settlement agreement.''.

SEC. __04. GAO STUDY.

Not later than 30 days after the date of enactment of this Act, the Comptroller General shall commence an audit of the Equal Access to Justice Act for the years 1995 through the end of the calendar year in which this Act is enacted. The Comptroller General shall, not later than 1 year after the end of the calendar year in which this Act is enacted, complete such audit and submit to the Congress a report on the results of the audit.

SA 203. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. PROHIBITION ON FUNDING FOR TITLE X OF THE PUBLIC HEALTH SERVICE ACT.

Notwithstanding any other provision of law, no Federal funds may be used to carry out the program under title X of the Public Health Service Act (42 U.S.C. 300 et seq.) to provide for voluntary family planning projects. All unobligated balances of the discretionary appropriations made available for such purpose as of the date of enactment of this Act are rescinded.

SA 204. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(d) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2009.''.

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 95 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9014. TERMINATION.

''The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after the date of the enactment of this section, or to any candidate in such an election.''.

(B) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

''(d) TRANSFER OF FUNDS REMAINING AFTER TERMINATION.—The Secretary shall transfer all amounts in the fund after the date of the enactment of this section to the general fund of the Treasury, to be used only for reducing the deficit.''.

(2) TERMINATION OF ACCOUNT.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

''SEC. 9043. TERMINATION.

''The provisions of this chapter shall not apply to any candidate with respect to any presidential election after the date of the enactment of this section.''.

(c) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 95 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9014. Termination.''.

(2) The table of sections for chapter 96 of subtitle H of such Code is amended by adding at the end the following new item:

''Sec. 9043. Termination.''.

SA 205. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PARTICIPATION BY COOPERATIVE GROCERIES.

(a) AMENDMENT.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

''(36) COOPERATIVE GROCERIES.—

''(A) DEFINITION.—In this paragraph, the term 'cooperative grocery' means a business concern organized as a cooperative that—

''(i) is owned by not fewer than 150 and not more than 20,000 individuals—

''(I) that are customers or employees of the business concern; and

''(II) no 1 of which owns more than 1 share of the business concern;

''(ii) distributes any portion of the profits of the business concern to the owners of the cooperative; and

''(iii) operates a physical storefront selling a variety of fruits, vegetables, and dairy products.

''(B) ELIGIBILITY.—Notwithstanding section 120.110 of title 13, Code of Federal Regulations, for purposes of this subsection, a cooperative grocery shall be deemed to be a small business concern.''.

(b) TECHNICAL AMENDMENT.—Section 1133(b) of the Small Business Jobs Act of 2010 (15 U.S.C. 636 note) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) by redesignating paragraph (36), as added by the SBIR/STTR Reauthorization Act of 2011, as paragraph (35).''.

SA 206. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

In title V, insert the following:

SEC. _____. WORKER OWNERSHIP, READINESS, AND KNOWLEDGE.

(a) DEFINITIONS.—In this section:

(1) EXISTING PROGRAM.—The term ''existing program'' means a program, designed to promote employee ownership and employee participation in business decisionmaking, that exists on the date the Secretary is carrying out a responsibility authorized by this section.

(2) INITIATIVE.—The term ''Initiative'' means the Employee Ownership and Participation Initiative established under subsection (b).

(3) NEW PROGRAM.—The term ''new program'' means a program, designed to promote employee ownership and employee participation in business decisionmaking, that does not exist on the date the Secretary is carrying out a responsibility authorized by this section.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Labor, acting through the Assistant Secretary for Employment and Training.

(5) STATE.—The term ''State'' means any of the 50 States within the United States of America.

(b) EMPLOYEE OWNERSHIP AND PARTICIPATION INITIATIVE.—

(1) ESTABLISHMENT.—The Secretary of Labor shall establish within the Employment and Training Administration of the Department of Labor an Employee Ownership and Participation Initiative to promote employee ownership and employee participation in business decisionmaking.

(2) FUNCTIONS.—In carrying out the Initiative, the Secretary shall—

(A) support within the States existing programs designed to promote employee ownership and employee participation in business decisionmaking; and

(B) facilitate within the States the formation of new programs designed to promote employee ownership and employee participation in business decisionmaking.

(3) DUTIES.—To carry out the functions enumerated in paragraph (2), the Secretary shall—

(A) support new programs and existing programs by—

(i) making Federal grants authorized under subsection (d); and

(ii)(I) acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs; or

(II) funding projects for information gathering on those techniques, and dissemination of that information to the programs, by groups outside the Employment and Training Administration; and

(B) facilitate the formation of new programs, in ways that include holding or funding an annual conference of representatives from States with existing programs, representatives from States developing new programs, and representatives from States without existing programs.

(c) PROGRAMS REGARDING EMPLOYEE OWNERSHIP AND PARTICIPATION.—

(1) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to encourage new and existing programs within the States, designed to foster employee ownership and employee participation in business decisionmaking throughout the United States.

(2) PURPOSE OF PROGRAM.—The purpose of the program established under paragraph (1) is to encourage new and existing programs within the States that focus on—

(A) providing education and outreach to inform employees and employers about the possibilities and benefits of employee ownership, business ownership succession planning, and employee participation in business decisionmaking, including providing information about financial education, employee teams, open-book management, and other tools that enable employees to share ideas and information about how their businesses can succeed;

(B) providing technical assistance to assist employee efforts to become business owners, to enable employers and employees to explore and assess the feasibility of transferring full or partial ownership to employees, and to encourage employees and employers to start new employee-owned businesses;

(C) training employees and employers with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employee input; and

(D) training other entities to apply for funding under this subsection, to establish new programs, and to carry out program activities.

(3) PROGRAM DETAILS.—The Secretary may include, in the program established under paragraph (1), provisions that—

(A) in the case of activities under paragraph (2)(A)—

(i) target key groups such as retiring business owners, senior managers, unions, trade associations, community organizations, and economic development organizations;

(ii) encourage cooperation in the organization of workshops and conferences; and

(iii) prepare and distribute materials concerning employee ownership and participation, and business ownership succession planning;

(B) in the case of activities under paragraph (2)(B)—

(i) provide preliminary technical assistance to employee groups, managers, and retiring owners exploring the possibility of employee ownership;

(ii) provide for the performance of preliminary feasibility assessments;

(iii) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting and monitoring professionals qualified to conduct such studies; and

(iv) provide a data bank to help employees find legal, financial, and technical advice in connection with business ownership;

(C) in the case of activities under paragraph (2)(C)—

(i) provide for courses on employee participation; and

(ii) provide for the development and fostering of networks of employee-owned companies to spread the use of successful participation techniques; and

(D) in the case of training under paragraph (2)(D)—

(i) provide for visits to existing programs by staff from new programs receiving funding under this section; and

(ii) provide materials to be used for such training.

(4) GUIDANCE.—The Secretary shall issue formal guidance, for recipients of grants awarded under subsection (d) and one-stop partners affiliated with the statewide workforce investment systems described in section 106 of the Workforce Investment Act of 1998 (29 U.S.C. 2881), proposing that programs and other activities funded under this section be—

(A) proactive in encouraging actions and activities that promote employee ownership of, and participation in, businesses; and

(B) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broaden capital ownership.

(d) GRANTS.—

(1) IN GENERAL.—In carrying out the program established under subsection (c), the Secretary may make grants for use in connection with new programs and existing programs within a State for any of the following activities:

(A) Education and outreach as provided in subsection (c)(2)(A).

(B) Technical assistance as provided in subsection (c)(2)(B).

(C) Training activities for employees and employers as provided in subsection (c)(2)(C).

(D) Activities facilitating cooperation among employee-owned firms.

(E) Training as provided in subsection (c)(2)(D) for new programs provided by participants in existing programs dedicated to the objectives of this section, except that, for each fiscal year, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this section.

(2) AMOUNTS AND CONDITIONS.—The Secretary shall determine the amount and any conditions for a grant made under this subsection. The amount of the grant shall be subject to paragraph (6), and shall reflect the capacity of the applicant for the grant.

(3) APPLICATIONS.—Each entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(4) STATE APPLICATIONS.—Each State may sponsor and submit an application under paragraph (3) on behalf of any local entity consisting of a unit of State or local government, State-supported institution of higher education, or nonprofit organization, meeting the requirements of this section.

(5) APPLICATIONS BY ENTITIES.—

(A) ENTITY APPLICATIONS.—If a State fails to support or establish a program pursuant to this section during any fiscal year, the Secretary shall, in the subsequent fiscal years, allow local entities described in paragraph (4) from that State to make applications for grants under paragraph (3) on their own initiative.

(B) APPLICATION SCREENING.—Any State failing to support or establish a program pursuant to this section during any fiscal year may submit applications under paragraph (3) in the subsequent fiscal years but may not screen applications by local entities described in paragraph (4) before submitting the applications to the Secretary.

(6) LIMITATIONS.—A recipient of a grant made under this subsection shall not receive, during a fiscal year, in the aggregate, more than the following amounts:

(A) For fiscal year 2012, $300,000.

(B) For fiscal year 2013, $330,000.

(C) For fiscal year 2014, $363,000.

(D) For fiscal year 2015, $399,300.

(E) For fiscal year 2016, $439,200.

(7) ANNUAL REPORT.—For each year, each recipient of a grant under this subsection shall submit to the Secretary a report describing how grant funds allocated pursuant to this subsection were expended during the 12-month period preceding the date of the submission of the report.

(e) EVALUATIONS.—The Secretary is authorized to reserve not more than 10 percent of the funds appropriated for a fiscal year to carry out this section, for the purposes of conducting evaluations of the grant programs identified in subsection (d) and to provide related technical assistance.

(f) REPORTING.—Not later than the expiration of the 36-month period following the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report—

(1) on progress related to employee ownership and participation in businesses in the United States; and

(2) containing an analysis of critical costs and benefits of activities carried out under this section.

(g) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated for the purpose of making grants pursuant to subsection (d) the following:

(A) For fiscal year 2012, $3,850,000.

(B) For fiscal year 2013, $6,050,000.

(C) For fiscal year 2014, $8,800,000.

(D) For fiscal year 2015, $11,550,000.

(E) For fiscal year 2016, $14,850,000.

(2) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated for the purpose of funding the administrative expenses related to the Initiative, for each of fiscal years 2012 through 2016, an amount not in excess of—

(A) $350,000; or

(B) 5.0 percent of the maximum amount available under paragraph (1) for that fiscal year.

SA 207. Mr. SANDERS (for himself, Mr. BROWN of Ohio, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—SOCIAL SECURITY PROTECTION ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Social Security Protection Act of 2011''.

SEC. 602. FINDINGS.

Congress makes the following findings:

(1) Social Security is the most successful and reliable social program in our Nation's history.

(2) For 75 years, through good times and bad, Social Security has reliably kept millions of senior citizens, individuals with disabilities, and children out of poverty.

(3) Before President Franklin Roosevelt signed the Social Security Act into law on August 14, 1935, approximately half of the senior citizens in the United States lived in poverty; less than 10 percent of seniors live in poverty today.

(4) Social Security has succeeded in protecting working Americans and their families from devastating drops in household income due to lost wages resulting from retirement, disability, or the death of a spouse or parent.

(5) More than 53,000,000 Americans receive Social Security benefits, including 36,500,000 retirees and their spouses, 9,200,000 veterans, 8,200,000 disabled individuals and their spouses, 4,500,000 surviving spouses of deceased workers, and 4,300,000 dependent children.

(6) Social Security has never contributed to the Federal budget deficit or the national debt, and benefit cuts should not be proposed as a solution to reducing the Federal budget deficit.

(7) Social Security is not in a crisis or going bankrupt, as the Social Security Trust Funds have been running surpluses for the last quarter of a century.

(8) According to the Social Security Administration, the Social Security Trust Funds currently maintain a $2,600,000,000,000 surplus that is project to grow to $4,200,000,000,000 by 2023.

(9) According to the Social Security Administration, even if no changes are made to the Social Security program, full benefits will be available to every recipient until 2037, with enough funding remaining after that date to pay about 78 percent of promised benefits.

(10) According to the Social Security Administration, ''money flowing into the [Social Security] trust funds is invested in U.S. Government securities . . . the investments held by the trust funds are backed by the full faith and credit of the U.S. Government. The Government has always repaid Social Security, with interest.''.

(11) All workers who contribute into Social Security through the 12.4 percent payroll tax, which is divided equally between employees and employers on income up to $106,800, deserve to have a dignified and secure retirement.

(12) Social Security provides the majority of income for two-thirds of the elderly population in the United States, with approximately one-third of elderly individuals receiving nearly all of their income from Social Security.

(13) Overall, Social Security benefits for retirees currently average a modest $14,000 a year, with the average for women receiving benefits being less than $12,000 per year.

(14) Nearly 1 out of every 4 adult Social Security beneficiaries has served in the United States military.

(15) Social Security is not solely a retirement program, as it also serves as a disability insurance program for American workers who become permanently disabled and unable to work.

(16) The Social Security Disability Insurance program is a critical lifeline for millions of American workers, as a 20-year-old worker faces a 30 percent chance of becoming disabled before reaching retirement age.

(17) Proposals to privatize the Social Security program would jeopardize the security of millions of Americans by subjecting them to the ups-and-downs of the volatile stock market as the source of their retirement benefits.

(18) Raising the retirement age would jeopardize the retirement future of millions of American workers, particularly those in physically demanding jobs as well as lower-income women, African-Americans, and Latinos, all of whom have a much lower life expectancy than wealthier Americans.

(19) Social Security benefits have already been cut by 13 percent, as the Normal Retirement Age was raised in 1983 from 65 years of age to 67 years of age by 2022.

(20) According to the Social Security Administration, raising the retirement age for future retirees would reduce benefits by 6 to 7 percent for each year that the Normal Retirement Age is raised.

(21) Reducing cost-of-living adjustments for current or future Social Security beneficiaries would force millions of such individuals to choose between heating their homes, putting food on the table, or paying for their prescription drugs.

(22) Social Security is a promise that this Nation cannot afford to break.

SEC. 603. LIMITATION ON CHANGES TO THE SOCIAL SECURITY PROGRAM FOR CURRENT AND FUTURE BENEFICIARIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider, for purposes of the old-age, survivors, and disability insurance benefits program established under title II of the Social Security Act (42 U.S.C. 401 et seq.), any legislation that—

(1) increases the retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1))) or the early retirement age (as defined in section 216(l)(2) of the Social Security Act (42 U.S.C. 416(l)(2))) for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act;

(2) reduces cost-of-living increases for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act, as determined under section 215(i) of the Social Security Act (42 U.S.C. 415(i));

(3) reduces benefit payment amounts for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act; or

(4) creates private retirement accounts for any of the benefits individuals receive under title II of the Social Security Act on or after the date of enactment of this Act.

(b) WAIVER OR SUSPENSION.—

(1) IN THE SENATE.—The provisions of this section may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, present and voting.

(2) IN THE HOUSE.—The provisions of this section may be waived or suspended in the House of Representatives only by a rule or order proposing only to waive such provisions by an affirmative vote of two-thirds of the Members, present and voting.

(c) POINT OF ORDER PROTECTION.—In the House of Representatives, it shall not be in order to consider a rule or order that waives the application of paragraph (2) of subsection (b).

(d) MOTION TO SUSPEND.—It shall not be in order for the Speaker to entertain a motion to suspend the application of this section under clause 1 of rule XV of the Rules of the House of Representatives.

SA 208. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. ITEMIZED FEDERAL TAX RECEIPT.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7529. FEDERAL TAX RECEIPT.

''(a) IN GENERAL.—The Secretary shall send to every taxpayer who files an individual income tax return for any taxable year an itemized Federal tax receipt showing a proportionate allocation (in money terms) of the taxpayer's total tax payment for such taxable year among major expenditure categories for the fiscal year ending in such taxable year. The Federal tax receipt shall also include 2 separate line items showing the amount of Federal debt per legal United States resident at the end of such fiscal year, and the amount of additional borrowing per legal United States resident by the Federal Government in such fiscal year.

''(b) TOTAL TAX PAYMENTS.—For purposes of subsection (a), the total tax payment of a taxpayer for any taxable year is equal to the sum of—

''(1) the tax imposed by subtitle A for such taxable year (as shown on such taxpayer's return), plus

''(2) the tax imposed by section 3101 on wages received by such taxpayer during such taxable year.

''(c) DETERMINATION OF PROPORTIONATE ALLOCATION OF TAX PAYMENT AMONG MAJOR EXPENDITURE CATEGORIES.—For purposes of determining a proportionate allocation described in subsection (a), not later than 60 days after the end of any fiscal year, the Director of the Congressional Budget Office shall provide to the Secretary the percentage of Federal outlays for such fiscal year for the following categories and subcategories of Federal spending:

''(1) Social Security.

''(2) National defense.

''(A) Overseas combat operations.

''(3) Medicare.

''(4) Low-income assistance programs.

''(A) Housing assistance.

''(B) Food stamps and other food programs.

''(5) Other Federal health programs.

''(A) Medicaid, Children's Health Insurance Program, and other public health programs.

''(B) National Institutes of Health and other health research and training programs.

''(C) Food and Drug Administration, Consumer Product Safety Commission, and other regulatory health and safety activities.

''(6) Unemployment benefits

''(7) Net interest on the Federal debt.

''(8) Veterans benefits and services.

''(9) Education.

''(A) K-12 and vocational education.

''(B) Higher education.

''(C) Job training and assistance.

''(10) Federal employee retirement and disability benefits.

''(11) Highway, mass transit, and railroad funding.

''(12) Mortgage finance (Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Housing Administration, and other housing finance programs).

''(13) Justice and law enforcement funding, including Federal Bureau of Investigation, Federal courts, and Federal prisons.

''(14) Natural resources, land, and water management and conservation funding, including National Parks.

''(15) Foreign aid.

''(16) Science and technology research and advancement.

''(A) National Aeronautics and Space Administration.

''(17) Air transportation, including Federal Aviation Administration.

''(18) Farm subsidies.

''(19) Energy funding, including renewable energy and efficiency programs, Strategic Petroleum Reserve, and Federal Energy Regulatory Commission.

''(20) Disaster relief and insurance, including Federal Emergency Management Administration.

''(21) Diplomacy and embassies.

''(22) Environmental Protection Agency and pollution control programs.

''(23) Internal Revenue Service and United States Treasury operations.

''(24) Coast Guard and maritime programs.

''(25) Community Development Block Grants.

''(26) Congress and legislative branch activities.

''(27) United States Postal Service.

''(28) Executive Office of the President.

''(29) Other Federal spending.

''(d) ADDITIONAL MAJOR EXPENDITURE CATEGORIES.—With respect to each fiscal year, the Director of the Congressional Budget Office shall include additional categories and subcategories of Federal spending for purposes of subsection (c), but only if, and only for so long as, each such additional category or subcategory exceeds 3 percent of total Federal outlays for the fiscal year.

''(e) TIMING OF FEDERAL TAX RECEIPT.—A Federal tax receipt shall be made available to each taxpayer as soon as practicable upon the processing of that taxpayer's income tax return by the Internal Revenue Service.

''(f) USE OF TECHNOLOGIES.—The Internal Revenue Service is encouraged to utilize modern technologies such as electronic mail and the Internet to minimize the cost of sending Federal tax receipts to taxpayers. The Internal Revenue Service shall establish an interactive program on its Internet website to allow taxpayers to generate Federal tax receipts on their own.

''(g) COST.—No charge shall be imposed to cover any cost associated with the production or distribution of the Federal tax receipt.

''(h) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7529. Federal tax receipt.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 505. REDUCTION OF GOVERNMENT PRINTING COSTS.

(a) STRATEGY AND GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the Executive departments and independent establishments, as those terms are defined in chapter 1 of title 5, United States Code—

(1) to develop a strategy to reduce Government printing costs during the 10-year period beginning on September 1, 2011; and

(2) to issue Government-wide guidelines for printing that implements the strategy developed under paragraph (1).

(b) CONSIDERATIONS.—

(1) IN GENERAL.—In developing the strategy under subsection (a)(1), the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for—

(A) duplex and color printing;

(B) the use of digital file systems by Executive departments and independent establishments; and

(C) determining which Government publications might be made available on Government Web sites instead of being printed.

(2) ESSENTIAL PRINTED DOCUMENTS.—The Director of the Office of Management and Budget shall ensure that printed versions of documents that the Director determines are essential to individuals—

(A) who are entitled to or enrolled for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(B) who are enrolled for benefits under part B of such title;

(C) who receive old-age survivors' or disability insurance payments under title II of such Act (42 U.S.C. 401 et seq.), or

(D) who have limited ability to use or access the Internet,

are available after the issuance of the guidelines under subsection (a)(2).

SA 209. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. ITEMIZED FEDERAL TAX RECEIPT.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7529. FEDERAL TAX RECEIPT.

''(a) IN GENERAL.—The Secretary shall send to every taxpayer who files an individual income tax return for any taxable year an itemized Federal tax receipt showing a proportionate allocation (in money terms) of the taxpayer's total tax payment for such taxable year among major expenditure categories for the fiscal year ending in such taxable year. The Federal tax receipt shall also include 2 separate line items showing the amount of Federal debt per legal United States resident at the end of such fiscal year, and the amount of additional borrowing per legal United States resident by the Federal Government in such fiscal year.

''(b) TOTAL TAX PAYMENTS.—For purposes of subsection (a), the total tax payment of a taxpayer for any taxable year is equal to the sum of—

''(1) the tax imposed by subtitle A for such taxable year (as shown on such taxpayer's return), plus

''(2) the tax imposed by section 3101 on wages received by such taxpayer during such taxable year.

''(c) DETERMINATION OF PROPORTIONATE ALLOCATION OF TAX PAYMENT AMONG MAJOR EXPENDITURE CATEGORIES.—For purposes of determining a proportionate allocation described in subsection (a), not later than 60 days after the end of any fiscal year, the Director of the Congressional Budget Office shall provide to the Secretary the percentage of Federal outlays for such fiscal year for the following categories and subcategories of Federal spending:

''(1) Social Security.

''(2) National defense.

''(A) Overseas combat operations.

''(3) Medicare.

''(4) Low-income assistance programs.

''(A) Housing assistance.

''(B) Food stamps and other food programs.

''(5) Other Federal health programs.

''(A) Medicaid, Children's Health Insurance Program, and other public health programs.

''(B) National Institutes of Health and other health research and training programs.

''(C) Food and Drug Administration, Consumer Product Safety Commission, and other regulatory health and safety activities.

''(6) Unemployment benefits

''(7) Net interest on the Federal debt.

''(8) Veterans benefits and services.

''(9) Education.

''(A) K-12 and vocational education.

''(B) Higher education.

''(C) Job training and assistance.

''(10) Federal employee retirement and disability benefits.

''(11) Highway, mass transit, and railroad funding.

''(12) Mortgage finance (Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Housing Administration, and other housing finance programs).

''(13) Justice and law enforcement funding, including Federal Bureau of Investigation, Federal courts, and Federal prisons.

''(14) Natural resources, land, and water management and conservation funding, including National Parks.

''(15) Foreign aid.

''(16) Science and technology research and advancement.

''(A) National Aeronautics and Space Administration.

''(17) Air transportation, including Federal Aviation Administration.

''(18) Farm subsidies.

''(19) Energy funding, including renewable energy and efficiency programs, Strategic Petroleum Reserve, and Federal Energy Regulatory Commission.

''(20) Disaster relief and insurance, including Federal Emergency Management Administration.

''(21) Diplomacy and embassies.

''(22) Environmental Protection Agency and pollution control programs.

''(23) Internal Revenue Service and United States Treasury operations.

''(24) Coast Guard and maritime programs.

''(25) Community Development Block Grants.

''(26) Congress and legislative branch activities.

''(27) United States Postal Service.

''(28) Executive Office of the President.

''(29) Other Federal spending.

''(d) ADDITIONAL MAJOR EXPENDITURE CATEGORIES.—With respect to each fiscal year, the Director of the Congressional Budget Office shall include additional categories and subcategories of Federal spending for purposes of subsection (c), but only if, and only for so long as, each such additional category or subcategory exceeds 3 percent of total Federal outlays for the fiscal year.

''(e) TIMING OF FEDERAL TAX RECEIPT.—A Federal tax receipt shall be made available to each taxpayer as soon as practicable upon the processing of that taxpayer's income tax return by the Internal Revenue Service.

''(f) USE OF TECHNOLOGIES.—The Internal Revenue Service is encouraged to utilize modern technologies such as electronic mail and the Internet to minimize the cost of sending Federal tax receipts to taxpayers. The Internal Revenue Service shall establish an interactive program on its Internet website to allow taxpayers to generate Federal tax receipts on their own.

''(g) COST.—No charge shall be imposed to cover any cost associated with the production or distribution of the Federal tax receipt.

''(h) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary to carry out this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7529. Federal tax receipt.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 505. REDUCTION OF GOVERNMENT PRINTING COSTS.

(a) STRATEGY AND GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the Executive departments and independent establishments, as those terms are defined in chapter 1 of title 5, United States Code—

(1) to develop a strategy to reduce Government printing costs during the 10-year period beginning on September 1, 2011; and

(2) to issue Government-wide guidelines for printing that implements the strategy developed under paragraph (1).

(b) CONSIDERATIONS.—

(1) IN GENERAL.—In developing the strategy under subsection (a)(1), the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for—

(A) duplex and color printing;

(B) the use of digital file systems by Executive departments and independent establishments; and

(C) determining which Government publications might be made available on Government Web sites instead of being printed.

(2) ESSENTIAL PRINTED DOCUMENTS.—The Director of the Office of Management and Budget shall ensure that printed versions of documents that the Director determines are essential to individuals—

(A) who are entitled to or enrolled for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.);

(B) who are enrolled for benefits under part B of such title;

(C) who receive old-age survivors' or disability insurance payments under title II of such Act (42 U.S.C. 401 et seq.), or

(D) who have limited ability to use or access the Internet,

are available after the issuance of the guidelines under subsection (a)(2).

SA 210. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Subsections (a), (b), and (c) of section 1405 of the Health Care and Education Reconciliation Act of 2010, and the amendments made thereby, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such section and amendments had never been enacted.

(b) RESCISSION OF UNSPENT FEDERAL FUNDS TO OFFSET LOSS IN REVENUES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of all available unobligated funds, $39,000,000,000 in appropriated discretionary funds are hereby rescinded.

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(3) EXCEPTION.—This subsection shall not apply to the unobligated funds of the Department of Defense or the Department of Veterans Affairs.

SA 211. Ms. SNOWE (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE ____—SMALL BUSINESS REGULATORY FREEDOM

SEC. __01. SHORT TITLE; TABLE OF CONTENTS.

This title may be cited as the ''Small Business Regulatory Freedom Act of 2011''.

SEC. __02. FINDINGS.

Congress finds the following:

(1) A vibrant and growing small business sector is critical to the recovery of the economy of the United States.

(2) Regulations designed for application to large-scale entities have been applied uniformly to small businesses and other small entities, sometimes inhibiting the ability of small entities to create new jobs.

(3) Uniform Federal regulatory and reporting requirements in many instances have imposed on small businesses and other small entities unnecessary and disproportionately burdensome demands, including legal, accounting, and consulting costs, thereby threatening the viability of small entities and the ability of small entities to compete and create new jobs in a global marketplace.

(4) Since 1980, Federal agencies have been required to recognize and take account of the differences in the scale and resources of regulated entities, but in many instances have failed to do so.

(5) In 2009, there were nearly 70,000 pages in the Federal Register, and, according to research by the Office of Advocacy of the Small Business Administration, the annual cost of Federal regulations totals $1,750,000,000,000. Small firms bear a disproportionate burden, paying approximately 36 percent more per employee than larger firms in annual regulatory compliance costs.

(6) All agencies in the Federal Government should fully consider the costs, including indirect economic impacts and the potential for job creation and job loss, of proposed rules, periodically review existing regulations to determine their impact on small entities, and repeal regulations that are unnecessarily duplicative or have outlived their stated purpose.

(7) It is the intention of Congress to amend chapter 6 of title 5, United States Code, to ensure that all impacts, including foreseeable indirect effects, of proposed and final rules are considered by agencies during the rulemaking process and that the agencies assess a full range of alternatives that will limit adverse economic consequences, enhance economic benefits, and fully address potential job creation or job loss.

SEC. __03. INCLUDING INDIRECT ECONOMIC IMPACT IN SMALL ENTITY ANALYSES.

Section 601 of title 5, United States Code, is amended by adding at the end the following:

''(9) the term 'economic impact' means, with respect to a proposed or final rule—

''(A) any direct economic effect of the rule on small entities; and

''(B) any indirect economic effect on small entities, including potential job creation or job loss, that is reasonably foreseeable and that results from the rule, without regard to whether small entities are directly regulated by the rule.''.

SEC. __04. JUDICIAL REVIEW TO ALLOW SMALL ENTITIES TO CHALLENGE PROPOSED REGULATIONS.

Section 611(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting ''603,'' after ''601,'';

(2) in paragraph (2), by inserting ''603,'' after ''601,'';

(3) by striking paragraph (3) and inserting the following:

''(3) A small entity may seek such review during the 1-year period beginning on the date of final agency action, except that—

''(A) if a provision of law requires that an action challenging a final agency action be commenced before the expiration of 1 year, the lesser period shall apply to an action for judicial review under this section; and

''(B) in the case of noncompliance with section 603 or 605(b), a small entity may seek judicial review of agency compliance with such section before the close of the public comment period.''; and

(4) in paragraph (4)—

(A) in subparagraph (A), by striking '', and'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(C) issuing an injunction prohibiting an agency from taking any agency action with respect to a rulemaking until that agency is in compliance with the requirements of section 603 or 605.''.

SEC. __05. PERIODIC REVIEW AND SUNSET OF EXISTING RULES.

Section 610 of title 5, United States Code, is amended to read as follows:

''§ 610. Periodic review of rules

''(a)(1) Not later than 180 days after the date of enactment of the Small Business Regulatory Freedom Act of 2011, each agency shall establish a plan for the periodic review of—

''(A) each rule issued by the agency that the head of the agency determines has a significant economic impact on a substantial number of small entities, without regard to whether the agency performed an analysis under section 604 with respect to the rule; and

''(B) any small entity compliance guide required to be published by the agency under section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note).

''(2) In reviewing rules and small entity compliance guides under paragraph (1), the agency shall determine whether the rules and guides should—

''(A) be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any significant adverse economic impacts on a substantial number of small entities (including an estimate of any adverse impacts on job creation and employment by small entities); or

''(B) continue in effect without change.

''(3) Each agency shall publish the plan established under paragraph (1) in the Federal Register and on the Web site of the agency.

''(4) An agency may amend the plan established under paragraph (1) at any time by publishing the amendment in the Federal Register and on the Web site of the agency.

''(b)(1) Each plan established under subsection (a) shall provide for—

''(A) the review of each rule and small entity compliance guide described in subsection (a)(1) in effect on the date of enactment of the Small Business Regulatory Freedom Act of 2011—

''(i) not later than 8 years after the date of publication of the plan in the Federal Register; and

''(ii) every 8 years thereafter; and

''(B) the review of each rule adopted and small entity compliance guide described in subsection (a)(1) that is published after the date of enactment of the Small Business Regulatory Freedom Act of 2011—

''(i) not later than 8 years after the publication of the final rule in the Federal Register; and

''(ii) every 8 years thereafter.

''(2)(A) If an agency determines that the review of the rules and guides described in paragraph (1)(A) cannot be completed before the date described in paragraph (1)(A)(i), the agency—

''(i) shall publish a statement in the Federal Register certifying that the review cannot be completed; and

''(ii) may extend the period for the review of the rules and guides described in paragraph (1)(A) for a period of not more than 2 years, if the agency publishes notice of the extension in the Federal Register.

''(B) An agency shall transmit to the Chief Counsel for Advocacy of the Small Business Administration and Congress notice of any statement or notice described in subparagraph (A).

''(c) In reviewing rules under the plan required under subsection (a), the agency shall consider—

''(1) the continued need for the rule;

''(2) the nature of complaints received by the agency from small entities concerning the rule;

''(3) comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy of the Small Business Administration;

''(4) the complexity of the rule;

''(5) the extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State and local rules;

''(6) the contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such a calculation cannot be made;

''(7) the length of time since the rule has been evaluated, or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule; and

''(8) the impact of the rule, including—

''(A) the estimated number of small entities to which the rule will apply;

''(B) the estimated number of small entity jobs that will be lost or created due to the rule; and

''(C) the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including—

''(i) an estimate of the classes of small entities that will be subject to the requirement; and

''(ii) the type of professional skills necessary for preparation of the report or record.

''(d)(1) Each agency shall submit an annual report regarding the results of the review required under subsection (a) to—

''(A) Congress; and

''(B) in the case of an agency that is not an independent regulatory agency (as defined in section 3502(5) of title 44), the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget.

''(2) Each report required under paragraph (1) shall include a description of any rule or guide with respect to which the agency made a determination of infeasibility under paragraph (5) or (6) of subsection (c), together with a detailed explanation of the reasons for the determination.

''(e) Each agency shall publish in the Federal Register and on the Web site of the agency a list of the rules and small entity compliance guides to be reviewed under the plan required under subsection (a) that includes—

''(1) a brief description of each rule or guide;

''(2) for each rule, the reason why the head of the agency determined that the rule has a significant economic impact on a substantial number of small entities (without regard to whether the agency had prepared a final regulatory flexibility analysis for the rule); and

''(3) a request for comments from the public, the Chief Counsel for Advocacy of the Small Business Administration, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rules or publication of the guides.

''(f)(1) With respect to each agency, not later than 6 months after each date described in subsection (b)(1), the Chief Counsel for Advocacy of the Small Business Administration shall determine whether the agency has completed the review required under subsection (b).

''(2) If, after a review under paragraph (1), the Chief Counsel for Advocacy of the Small Business Administration determines that an agency has failed to complete the review required under subsection (b), each rule issued by the agency that the head of the agency determined under subsection (a) has a significant economic impact on a substantial number of small entities shall immediately cease to have effect.''.

SEC. __06. REQUIRING SMALL BUSINESS REVIEW PANELS FOR ALL AGENCIES.

(a) AGENCIES.—Section 609 of title 5, United States Code, is amended—

(1) in subsection (b), by striking ''a covered agency'' each place it appears and inserting ''an agency''; and

(2) in subsection (e)(1), by striking ''the covered agency'' and inserting ''the agency''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 609.—Section 609 of title 5, United States Code, is amended—

(A) by striking subsection (d), as amended by section 1100G(a) of Public Law 111–203 (124 Stat. 2112); and

(B) by redesignating subsection (e) as subsection (d).

(2) SECTION 603.—Section 603(d) of title 5, United States Code, as added by section 1100G(b) of Public Law 111–203 (124 Stat. 2112), is amended—

(A) in paragraph (1), by striking ''a covered agency, as defined in section 609(d)(2)'' and inserting ''the Bureau of Consumer Financial Protection''; and

(B) in paragraph (2), by striking ''A covered agency, as defined in section 609(d)(2),'' and inserting ''The Bureau of Consumer Financial Protection''.

(3) SECTION 604.—Section 604(a) of title 5, United States Code, is amended—

(A) by redesignating the second paragraph designated as paragraph (6) (relating to covered agencies), as added by section 1100G(c)(3) of Public Law 111–203 (124 Stat. 2113), as paragraph (7); and

(B) in paragraph (7), as so redesignated—

(i) by striking ''a covered agency, as defined in section 609(d)(2)'' and inserting ''the Bureau of Consumer Financial Protection''; and

(ii) by striking ''the agency'' and inserting ''the Bureau''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act and apply on and after the designated transfer date established under section 1062 of Public Law 111–203 (12 U.S.C. 5582).

SEC. __07. EXPANDING THE REGULATORY FLEXIBILITY ACT TO AGENCY GUIDANCE DOCUMENTS.

Section 601(2) of title 5, United States Code, is amended by inserting after ''public comment'' the following: ''and any significant guidance document, as defined in the Office of Management and Budget Final Bulletin for Agency Good Guidance Procedures (72 Fed. Reg. 3432; January 25, 2007)''.

SEC. __08. REQUIRING THE INTERNAL REVENUE SERVICE TO CONSIDER SMALL ENTITY IMPACT.

(a) IN GENERAL.—Section 603(a) of title 5, United States Code, is amended, in the fifth sentence, by striking ''but only'' and all that follows through the period at the end and inserting ''but only to the extent that such interpretative rules, or the statutes upon which such rules are based, impose on small entities a collection of information requirement or a recordkeeping requirement.''.

(b) DEFINITIONS.—Section 601 of title 5, United States Code, as amended by section 3 of this Act, is amended—

(1) in paragraph (6), by striking ''and'' at the end; and

(2) by striking paragraphs (7) and (8) and inserting the following:

''(7) the term 'collection of information' has the meaning given that term in section 3502(3) of title 44;

''(8) the term 'recordkeeping requirement' has the meaning given that term in section 3502(13) of title 44; and''.

SEC. __09. MITIGATING PENALTIES ON SMALL ENTITIES.

Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121; 110 Stat. 862) is amended by adding at the end the following:

''(d) REVIEW OF POLICIES AND PROGRAMS.—

''(1) REVIEW REQUIRED.—Not later than 6 months after the date of enactment of this subsection, and every 2 years thereafter, each agency regulating the activities of small entities shall review the policy or program established by the agency under subsection (a) and make any modifications to the policy or program necessary to comply with the requirements under this section.

''(2) REPORT.—Not later than 6 months after the date of enactment of this subsection, and every 2 years thereafter, each agency described in paragraph (1) shall submit a report on the review and modifications required under paragraph (1) to—

''(A) the Committee on Small Business and Entrepreneurship and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Small Business and the Committee on the Judiciary of the House of Representatives.''.

SEC. __10. REQUIRING MORE DETAILED SMALL ENTITY ANALYSES.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Section 603 of title 5, United States Code, as amended by section 1100G(b) of Public Law 111–203 (124 Stat. 2112), is amended—

(1) by striking subsection (b) and inserting the following:

''(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement—

''(1) describing the reasons why action by the agency is being considered;

''(2) describing the objectives of, and legal basis for, the proposed rule;

''(3) estimating the number and type of small entities to which the proposed rule will apply;

''(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

''(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

''(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment by small entities, beyond that already imposed on the class of small entities by the agency, or the reasons why such an estimate is not available.''; and

(2) by adding at the end the following:

''(e) An agency shall notify the Chief Counsel for Advocacy of the Small Business Administration of any draft rules that may have a significant economic impact on a substantial number of small entities—

''(1) when the agency submits a draft rule to the Office of Information and Regulatory Affairs of the Office of Management and Budget under Executive Order 12866, if that order requires the submission; or

''(2) if no submission to the Office of Information and Regulatory Affairs is required—

''(A) a reasonable period before publication of the rule by the agency; and

''(B) in any event, not later than 3 months before the date on which the agency publishes the rule.''.

(b) FINAL REGULATORY FLEXIBILITY ANALYSIS.—

(1) IN GENERAL.—Section 604(a) of title 5, United States Code, is amended—

(A) by inserting ''detailed'' before ''description'' each place it appears;

(B) in paragraph (2)—

(i) by inserting ''detailed'' before ''statement'' each place it appears; and

(ii) by inserting ''(or certification of the proposed rule under section 605(b))'' after ''initial regulatory flexibility analysis'';

(C) in paragraph (4), by striking ''an explanation'' and inserting ''a detailed explanation''; and

(D) in paragraph (6) (relating to a description of steps taken to minimize significant economic impact), as added by section 1601 of the Small Business Jobs Act of 2010 (Public Law 111–240; 124 Stat. 2251), by inserting ''detailed'' before ''statement''.

(2) PUBLICATION OF ANALYSIS ON WEB SITE, ETC.—Section 604(b) of title 5, United States Code, is amended to read as follows:

''(b) The agency shall—

''(1) make copies of the final regulatory flexibility analysis available to the public, including by publishing the entire final regulatory flexibility analysis on the Web site of the agency; and

''(2) publish in the Federal Register the final regulatory flexibility analysis, or a summary of the analysis that includes the telephone number, mailing address, and address of the Web site where the complete final regulatory flexibility analysis may be obtained.''.

(c) CROSS-REFERENCES TO OTHER ANALYSES.—Section 605(a) of title 5, United States Code, is amended to read as follows:

''(a) A Federal agency shall be deemed to have satisfied a requirement regarding the content of a regulatory flexibility agenda or regulatory flexibility analysis under section 602, 603, or 604, if the Federal agency provides in the agenda or regulatory flexibility analysis a cross-reference to the specific portion of an agenda or analysis that is required by another law and that satisfies the requirement under section 602, 603, or 604.''.

(d) CERTIFICATIONS.—Section 605(b) of title 5, United States Code, is amended, in the second sentence, by striking ''statement providing the factual'' and inserting ''detailed statement providing the factual and legal''.

(e) QUANTIFICATION REQUIREMENTS.—Section 607 of title 5, United States Code, is amended to read as follows:

''§ 607. Quantification requirements

''In complying with sections 603 and 604, an agency shall provide—

''(1) a quantifiable or numerical description of the effects of the proposed or final rule, including an estimate of the potential for job creation or job loss, and alternatives to the proposed or final rule; or

''(2) a more general descriptive statement regarding the potential for job creation or job loss and a detailed statement explaining why quantification under paragraph (1) is not practicable or reliable.''.

SEC. __11. ENSURING THAT AGENCIES CONSIDER SMALL ENTITY IMPACT DURING THE RULEMAKING PROCESS.

Section 605(b) of title 5, United States Code, is amended—

(1) by inserting ''(1)'' after ''(b)''; and

(2) by adding at the end the following:

''(2) If, after publication of the certification required under paragraph (1), the head of the agency determines that there will be a significant economic impact on a substantial number of small entities, the agency shall comply with the requirements of section 603 before the publication of the final rule, by—

''(A) publishing an initial regulatory flexibility analysis for public comment; or

''(B) re-proposing the rule with an initial regulatory flexibility analysis.

''(3) The head of an agency may not make a certification relating to a rule under this subsection, unless the head of the agency has determined—

''(A) the average cost of the rule for small entities affected or reasonably presumed to be affected by the rule;

''(B) the number of small entities affected or reasonably presumed to be affected by the rule; and

''(C) the number of affected small entities for which that cost will be significant.

''(4) Before publishing a certification and a statement providing the factual basis for the certification under paragraph (1), the head of an agency shall—

''(A) transmit a copy of the certification and statement to the Chief Counsel for Advocacy of the Small Business Administration; and

''(B) consult with the Chief Counsel for Advocacy of the Small Business Administration on the accuracy of the certification and statement.''.

SEC. __12. ADDITIONAL POWERS OF THE OFFICE OF ADVOCACY.

Section 203 of Public Law 94–305 (15 U.S.C. 634c) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (6) the following:

''(7) at the discretion of the Chief Counsel for Advocacy, comment on regulatory action by an agency that affects small businesses, without regard to whether the agency is required to file a notice of proposed rulemaking under section 553 of title 5, United States Code, with respect to the action.''.

SEC. __13. TECHNICAL AND CONFORMING AMENDMENTS.

(a) HEADING.—Section 605 of title 5, United States Code, is amended in the section heading by striking ''**Avoidance**'' and all that follows and inserting the following: ''**Incorporations by reference and certification.**''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 6 of title 5, United States Code, is amended—

(1) by striking the item relating to section 605 and inserting the following:

''605. Incorporations by reference and certifications.'';

and

(2) by striking the item relating to section 607 inserting the following:

''607. Quantification requirements.''.

SA 212. Mr. BROWN of Massachusetts (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. REPEAL OF IMPOSITION OF WITHHOLDING ON CERTAIN PAYMENTS MADE TO VENDORS BY GOVERNMENT ENTITIES.

(a) IN GENERAL.—The amendment made by section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 is repealed and the Internal Revenue Code of 1986 shall be applied as if such amendment had never been enacted.

(b) RESCISSION OF UNSPENT FEDERAL FUNDS TO OFFSET LOSS IN REVENUES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of all available unobligated funds, $39,000,000,000 in appropriated discretionary funds are hereby permanently rescinded.

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(3) EXCEPTION.—This subsection shall not apply to the unobligated funds of the Department of Defense or the Department of Veterans Affairs.

SA 213. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. IMPOSITION OF A NO-FLY ZONE AND RECOGNITION OF THE TRANSITIONAL NATIONAL COUNCIL IN LIBYA.

(a) FINDINGS.—Congress makes the following findings:

(1) Peaceful demonstrations, inspired by similar peaceful demonstrations in Tunisia, Egypt, and elsewhere in the Middle East, began in Libya with calls for greater political reform, opportunity, justice, and the rule of law and quickly spread to cities around the country.

(2) Muammar Qaddafi, his sons, and forces loyal to them have responded to the peaceful demonstrations by authorizing and initiating violence against civilian non-combatants in Libya, including the use of airpower, foreign mercenaries, helicopters, mortar and artillery fire, naval assets, snipers, and soldiers.

(3) In response to Qaddafi's assault on the people of Libya, the imposition of a ''no-fly zone'' in Libya was called for by the Gulf Cooperation Council on March 7, 2011; by the head of the Organization of the Islamic Conference on March 8, 2011; and by the Arab League on March 12, 2011.

(4) The Governments of France and the United Kingdom have drafted a United Nations Security Council Resolution to mandate the imposition of a ''no-fly zone'' in Libya.

(5) The Libyan Transitional National Council was formed in Benghazi, with representation of Libyan leaders from across the country.

(6) On March 10, 2011, the Government of France recognized the Libyan Transitional National Council, based in Benghazi, as the sole legitimate government of Libya and has announced its intention to send an ambassador there.

(7) Despite initial gains, the opposition has been losing ground against Qaddafi's forces, which are currently advancing against the opposition stronghold of Benghazi.

(8) On March 3, 2011, President Barack Obama said, ''Let me just be very unambiguous about this. Colonel Qaddafi needs to step down from power and leave''.

(9) On March 10, 2011, the Director of National Intelligence testified before Congress that, because of Qaddafi's superior military resources, including airpower, and in the absence of outside assistance to the opposition, ''I think [over] the long term that the [Qaddafi] regime will prevail.''

(b) SENSE OF THE SENATE.—The Senate—

(1) applauds the bravery of the Libyan people, who are fighting to secure their universal rights against the violent dictatorship of Muammar Qaddafi;

(2) condemns Muammar Qaddafi, and the forces loyal to him, for using overwhelming and indiscriminate violence, including the use of airpower and foreign mercenaries, against peaceful demonstrators and civilians, which has resulted in gross human rights abuses, grave loss of innocent life, and potentially crimes against humanity;

(3) strongly welcomes the calls for imposing a ''no-fly zone'' in Libya made by the Arab League, the Gulf Cooperation Council, and the Organization of the Islamic Conference;

(4) reiterates that it is the policy of the United States, as stated by President Obama, that Colonel Qaddafi must step down and leave power; and

(5) calls on the President—

(A) to recognize the Libyan Transitional National Council, based in Benghazi but representative of Libyan communities across the country, as the sole legitimate governing authority in Libya;

(B) to take immediate steps to implement a ''no-fly zone'' in Libya with international support; and

(C) to develop and implement a comprehensive strategy to achieve the stated United States policy objective of Qaddafi leaving power.

SA 214. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. _____. SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds that—

(1) the debt of the United States exceeds $14,000,000,000,000;

(2) it is important for Congress to use all tools at its disposal to address the national debt crisis;

(3) Congress will not earmark funds for projects requested by Members of Congress; and

(4) the earmark ban should be utilized to realize actual savings.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should reduce spending by the amount resulting from the recently announced earmark moratorium.

SA 215. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—BUSINESS INCUBATOR PROMOTION

SEC. 601. SHORT TITLE.

This title may be cited as the ''EPA Stationary Source Regulations Suspension Act''.

SEC. 602. SUSPENSION OF CERTAIN EPA ACTION.

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any provision of the Clean Air Act (42 U.S.C. 7401 et seq.), until the end of the 2-year period beginning on the date of enactment of this Act, the Administrator of the Environmental Protection Agency may not take any action under the Clean Air Act (42 U.S.C. 7401 et seq.) with respect to any stationary source permitting requirement or any requirement under section 111 of that Act (42 U.S.C. 7411) relating to carbon dioxide or methane.

(b) EXCEPTIONS.—Subsections (a) and (c) shall not apply to—

(1) any action under part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) relating to the vehicle emissions standards;

(2) any action relating to the preparation of a report or the enforcement of a reporting requirement; or

(3) any action relating to the provision of technical support at the request of a State.

(c) TREATMENT.—Notwithstanding any other provision of law, no action taken by the Administrator of the Environmental Protection Agency before the end of the 2-year period described in subsection (a) (including any action taken before the date of enactment of this Act) shall be considered to make carbon dioxide or methane a pollutant subject to regulation under the Clean Air Act (42 U.S.C. 7401 et seq.) for any source other than a new motor vehicle or new motor vehicle engine, as described in section 202(a) of that Act (42 U.S.C. 7521(a)).

SA 216. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 3___. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(13) NOTIFICATION REQUIREMENT.—

''(A) IN GENERAL.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall—

''(i) notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer; and

''(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that allows a subcontractor to report fraudulent activity by a contractor with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).''.

SA 217. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. ELIMINATING THE NATIONAL HISTORIC COVERED BRIDGE PRESERVATION PROGRAM.

(a) REPEAL.—Section 1224 of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 225; 112 Stat. 837) is repealed.

(b) FUNDING.—Notwithstanding any other provision of law—

(1) no Federal funds may be expended on or after the date of enactment of this Act for the National Historic Covered Bridge Preservation Program under the section repealed by subsection (a); and

(2) any funds made available for that program that remain unobligated as of the date of enactment of this Act shall be rescinded and returned to the Treasury.

SA 218. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. TERMINATING LEFTOVER CONGRESSIONAL EARMARK ACCOUNTS.

(a) IN GENERAL.—Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect.

(b) DEFINITION.—For purposes of this section, the term ''earmark'' means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV.

(c) REDUCTION REQUIRED.—Any funds appropriated in fiscal year 2011 to any program shall be reduced by the total amount of congressional earmarks or congressionally directed spending items contained within a committee report or joint explanatory statement accompanying such an Act that provided appropriations to the program in fiscal year 2010.

(d) RESCISSION.—The amounts reduced by subsection (c) are rescinded and returned to the Treasury.

(e) PRIOR LAW.—Subsections (c) and (d) shall not apply to any programs or accounts that were reduced in the same manner by Public Law 112–4 or any other bill that takes effect prior to date of enactment of this Act.

SA 219. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.

Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant department and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled ''Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue'' (GAO–11–318SP);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled ''Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue'' (GAO–11–318SP);

(3) determine the total cost savings that shall result to each agency, office, and department from the actions taken described in subsection (1); and

(4) rescind from the appropriate accounts the amount greater of—

(A) $5,000,000,000; or

(B) the total amount of cost savings estimated by paragraph (3).

SA 220. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. ELIMINATING THE TAX CREDIT SUBSIDY OF ETHANOL.

(a) ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2011'' and inserting ''the date of the enactment of the SBIR/STTR Reauthorization Act of 2011)''.

(2) Section 6427(e)(6)(A) of such Code is amended by striking ''December 31, 2011'' and inserting ''the date of the enactment the SBIR/STTR Reauthorization Act of 2011''.

(b) ELIMINATION OF INCOME TAX CREDIT.—The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''2011'' and inserting ''the enactment date of the SBIR/STTR Reauthorization Act of 2011'',

(2) by adding at the end the following: ''After such enactment . . . zero zero''.

(c) REPEAL OF DEADWOOD.—

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale, use, or removal for any period after the date of the enactment of the Act.

SA 221. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. REDUCING THE NUMBER OF NON-ESSENTIAL NEW VEHICLES PURCHASED AND LEASED BY THE FEDERAL GOVERNMENT.

(a) REDUCTIONS IN NON-ESSENTIAL VEHICLE PURCHASES.—Notwithstanding any other provision of law, the Office of Management and Budget shall coordinate with the heads of the relevant departments and agencies to—

(1) Determine the total dollar amount spent by each department and agency to purchase of civilian and non-tactical vehicles in Fiscal Year 2010;

(2) Determine the total dollar amount spent by each department and agency to lease civilian and non-tactical vehicles in Fiscal Year 2010;

(3) Determine the total number of civilian and non-tactical vehicles purchased by each department and agency in Fiscal Year 2010;

(4) Determine the total number of civilian and non-tactical vehicles leased by each department and agency in Fiscal Year 2010;

(5) Determine the dollar amounts that would be twenty percent less than (1) and (2);

(6) Reduce the dollar amounts spent to purchase and lease civilian and non-tactical vehicles by each department and agency by the dollar amounts identified by (5) in Fiscal Years 2011 and 2012; and

(7) Rescind the amounts identified from (5) from each department and agency in Fiscal Years 2011 and 2012 and return those amounts to the Treasury.

(b) SHARING.—The General Services Administration shall ensure agencies may share excess or unused vehicles with agencies that may need temporary or long term use of additional vehicles through the Federal Fleet Management System.

(c) EXCEPTION.—This moratorium shall not apply to the purchase or procurement of any vehicle deemed essential for defense or security reasons or necessary for other reasons deemed as essential and approved by the director of the Office of Management and Budget.

(d) STUDY.— The Inspector General of each department and agency shall review its respective agencies system for monitoring the use of motor vehicle owned or leased by the Government for non-official use, including a review of the ''written authorizations within the agency'' to monitor the use of motor vehicles in each agencies fleet, as required under 41 C.F.R. §102–34 and report the findings to Congress no later than 180 days after the enactment of this Act.

SA 222. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC.___ . PROHIBITION ON FEDERAL FUNDS FOR CORPORATION FOR PUBLIC BROADCASTING.

(a) IN GENERAL.—Section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by adding at the end the following new subsection:

''Prohibition on Federal Funds After Fiscal Year 2012

''(n) No Federal funds may be made available to the Corporation for Public Broadcasting after fiscal year 2012.''.

(b) CORPORATION PROHIBITED FROM ACCEPTING FEDERAL FUNDS.—Subsection (g) of section 396 of the Communications Act of 1934 (47 U.S.C. 396(g)) is amended—

(1) in paragraph (2)(A), by inserting ''subject to paragraph (3)(C),'' before ''obtain''; and

(2) in paragraph (3)—

(A) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) accepting funds from the Federal Government after fiscal year 2012.''.

(c) CONFORMING AMENDMENTS.—Section 396 of the Communications Act of 1934 (47 U.S.C. 396) is further amended—

(1) in subsection (k)(3)(A)(iv)(II), by inserting ''through fiscal year 2012'' after ''amounts received''; and

(2) in subsection (m)—

(A) in paragraph (1), by inserting ''through fiscal year 2012'' after ''every three years thereafter''; and

(B) in paragraph (2), by inserting ''and through fiscal year 2012,'' after ''1989,''.

(d) PARTIAL RESCISSION OF FUNDING FOR CORPORATION FOR PUBLIC BROADCASTING.—

Notwithstanding any other provision of law—

(1) $100,000,000 of the funds made available for fiscal year 2012 under the heading ''Corporation for Public Broadcasting'' in division D of Public Law 111–117 are rescinded; and

(2) a portion of the remaining Federal funds made available under the heading ''Corporation for Public Broadcasting'' under such Act may be used during that fiscal year by the Corporation to wind down its operations.

SA 223. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ___. ENDING UNEMPLOYMENT PAYMENTS TO JOBLESS MILLIONAIRES AND BILLIONAIRES.

(a) PROHIBITION.—Notwithstanding any other provision of law, no Federal funds may be used to make payments of unemployment compensation (including such compensation under the Federal-State Extended Compensation Act of 1970 and the emergency unemployment compensation program under title IV of the Supplemental Appropriations Act, 2008) in a year to an individual whose resources in the preceding year were equal to or greater than $1,000,000. For purposes of the preceding sentence, with respect to a year, an individual's resources shall be determined in the same manner as a subsidy eligible individual's resources are determined for the year under section 1860D–14(a)(3)(E) of the Social Security Act (42 U.S.C. 1395w–1 14(a)(3)(E)).

(b) EFFECTIVE DATE.—The prohibition under subsection (a) shall apply to weeks of unemployment beginning on or after the date of the enactment of this Act.

SA 224. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

TITLE VI—PATIENTS' FREEDOM TO CHOOSE

SEC. 601. REPEAL OF DISTRIBUTIONS FOR MEDICINE QUALIFIED ONLY IF FOR PRESCRIBED DRUG OR INSULIN.

Section 9003 of the Patient Protection and Affordable Care Act (Public Law 111–148) and the amendments made by such section are repealed; and the Internal Revenue Code of 1986 shall be applied as if such section, and amendments, had never been enacted.

SEC. 602. REPEAL OF LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.

Sections 9005 and 10902 of the Patient Protection and Affordable Care Act (Public Law 111–148) and section 1403 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) and the amendments made by such sections are repealed.

SA 225. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. _____. CREDIT REFORM ACT TREATMENT OF THE PURCHASE OF PRIVATE STOCK, EQUITY, OR CAPITAL.

Section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5) is amended by inserting at the end the following:

''(G) The cost of the purchase of stock, equity, capital, or debt instruments, or the option to purchase any such assets, of a private or publicly-traded company or any enterprise under the conservatorship of the Federal Government shall be determined on a fair value basis according to Financial Accounting Standards No. 157 of the Financial Accounting Standards Board.''.

SA 226. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. _____. PAYGO AND TRUST FUNDS.

(a) IN GENERAL.—Any increase in revenues or reduced spending in a Federal trust fund resulting from a bill, amendment, resolution, motion, or conference report shall—

(1) not be counted for purposes of offsetting revenues, receipts, or discretionary spending under the Congressional Budget Act of 1974 or the Statutory Pay-As-You-Go Act of 2010; and

(2) only be used for the purposes of the Federal trust as provided by law.

(b) INTERGOVERNMENTAL TRANSFERS.—Nothing in this section shall impact intergovernmental lending from a Federal trust fund to annual government operations.

SA 227. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. _____. EMERGENCY DESIGNATIONS.

Section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139) is amended to read as follows:

''(3) PROCEDURE IN THE SENATE AND VOTE REQUIREMENT.—

''(A) IN GENERAL.—When the Senate is considering a PAYGO Act, any provision making an emergency designation shall be stricken from the measure and may not be offered as an amendment from the floor unless a waiver is offered and agreed to.

''(B) SUPERMAJORITY WAIVER AND APPEALS.—

''(i) WAIVER.—Subparagraph (A) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

''(ii) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

''(C) WAIVER PETITION.—Prior to making a motion to waive under this paragraph, a Senator shall file a petition—

''(i) signed by 16 members requesting the waiver;

''(ii) with a Member of both the majority and minority signing; and

''(iii) stating that the spending is an emergency as described in subparagraph (D).

''(D) EMERGENCY SPENDING.—

''(i) IN GENERAL.—For purposes of this subparagraph, spending is emergency spending if the spending is—

''(I) necessary, essential, or vital (not merely useful or beneficial);

''(II) sudden, quickly coming into being, and not building up over time;

''(III) an urgent, pressing, and compelling need requiring immediate action;

''(IV) subject to clause (ii), unforeseen, unpredictable, and unanticipated; and

''(V) not permanent, temporary in nature.

''(ii) UNFORSEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.''.

SA 228. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 9, strike ''2019'' and insert ''2023''.

On page 4, line 17, strike ''2019'' and insert ''2023''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 15, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 15, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 15, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on March 15, 2011, at 10 a.m. in Room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 15, 2011, at 10:15 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Freedom of Information Act: Ensuring Transparency and Accountability in the Digital Age.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 15, 2011, at 2:30 p.m.