

S. 3472

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3472, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full costs of oil spills, and for other purposes.

S. 3479

At the request of Mrs. HAGAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3481

At the request of Mr. CARDIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 3481, a bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3486

At the request of Mr. BROWN of Ohio, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3486, a bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes.

S.J. RES. 30

At the request of Mr. ISAKSON, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S.J. Res. 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

S. RES. 546

At the request of Mr. SPECTER, the names of the Senator from New York (Mr. SCHUMER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Res. 546, a resolution recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience.

S. RES. 548

At the request of Mr. CORNYN, the names of the Senator from Nevada (Mr. ENSIGN), the Senator from South Carolina (Mr. DEMINT), the Senator from Mississippi (Mr. WICKER), the Senator from Texas (Mrs. HUTCHISON), the Senator from Missouri (Mr. BOND), the Senator from Idaho (Mr. RISCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Florida (Mr. LEMIEUX) and the Senator from North Carolina (Mr. BURR) were added as co-

sponsors of S. Res. 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

S. RES. 552

At the request of Mr. BENNET, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 552, a resolution designating June 23, 2010, as "Olympic Day".

S. RES. 553

At the request of Ms. STABENOW, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. Res. 553, a resolution expressing the sense of the Senate that Congress should unwaveringly uphold the dignity and independence of older Americans.

AMENDMENT NO. 4333

At the request of Mr. THUNE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 4333 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4346

At the request of Mr. COBURN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 4346 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4348

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 4348 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4351

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of amendment No. 4351 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4363

At the request of Ms. CANTWELL, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 4363 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN (for himself and Mr. DODD):

S. 3498. A bill to support the establishment and operation of Teach-

ers Professional Development Institutes; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, today I am introducing legislation, along with my friend and colleague, the senior Senator from Connecticut, Mr. DODD, that will strengthen the content knowledge and instructional skills of our present K-12 teacher workforce and thus ultimately raise student achievement.

The Teachers Professional Development Institutes Act would establish eight new Teachers Professional Development Institutes throughout the nation each year over the next 5 years based on the model which has been operating at Yale University for over 30 years. Every Teachers Institute would consist of a partnership between an institution of higher education and the local public school system in which a significant proportion of the students come from low-income households. These Institutes will strengthen the present teacher workforce by giving each participant an opportunity to gain more sophisticated content knowledge and a chance to develop curriculum units with other colleagues that can be directly applied in their classrooms. We know that teachers gain confidence and enthusiasm when they have a deeper understanding of the subject matter that they teach and this translates into higher expectations for their students and an increase in student achievement.

The Teachers Professional Development Institutes are based on the Yale-New Haven Teachers Institute model that has been in existence since 1978. For over 30 years, the Institute has offered, 5 or 6 13-session seminars each year, led by Yale faculty, on topics that teachers have selected to enhance their mastery of the specific subject area that they teach. The subject selection process begins with representatives from the Institutes soliciting ideas from teachers throughout the school district for topics on which teachers feel they need to have additional preparation, topics that will assist them in preparing materials they need for their students, and topics that will assist them in addressing the standards that the school district requires. As a consensus emerges about desired seminar subjects, the Institute director identifies university faculty members with the appropriate expertise, interest and desire to lead the seminar. University faculty members, especially those who have led Institute seminars before, may sometimes suggest seminars they would like to lead, and these ideas are circulated by the representatives as well. The final decisions on which seminar topics are offered are ultimately made by the teachers who participate. In this way, the offerings are designed to respond to what teachers believe is needed and useful for both themselves and their students.

The cooperative nature of the Institute seminar planning process ensures

its success. Institutes offer seminars and relevant materials on topics teachers have identified and feel are needed for their own preparation, as well as what they know will motivate and engage their students. Teachers enthusiastically take part in rigorous seminars they have requested, and practice using the materials they have obtained and developed. This helps ensure that the experience not only increases their preparation in the subjects they are assigned to teach, but also their participation in an Institute seminar gives them immediate hands-on active learning materials that can be used in the classroom. In short, by allowing teachers to determine the seminar subjects and providing them the resources to develop relevant curricula for their classroom and their students, the Institutes empower teachers.

The Yale-New Haven Teachers Institute conducted a National Demonstration Project from 1999–2002 that showed that similar Institutes could be created rapidly at diverse sites with large concentrations of disadvantaged students. After 2 years of research and planning, and based on the success of that Project, the Institute in 2005 launched the Yale National Initiative to strengthen teaching in public schools, a long-term endeavor to assist with the establishment of Teachers Institutes of this specific type in most states. As a result, new Institutes already have been established in Philadelphia, Pennsylvania, and Charlotte, North Carolina; and Institutes are currently being planned for New Castle County, Delaware, and San Francisco, California.

The teachers surveyed for the National Demonstration Project reported that student motivation, student interest, and student mastery were higher during the Institute-developed unit than during other work. Subsequently, the findings of a 2009 Report on Teachers Institute Experiences found that teachers participated out of desires to obtain curricula which suited their needs, increased subject mastery, and motivated students. Mr. President, 96 percent of the teachers rated the Institute seminars as useful, partly due to the reported increase in knowledge and in raising expectations of their students.

A retrospective study showed that over a 5-year period Teachers Institute participants were almost twice as likely as non-participants to remain teaching in the district five years later. Research has shown that longevity in a district is associated with teaching effectiveness.

Many agree that teacher quality is the single most important school-related factor in determining student achievement. High-quality teacher professional development programs that focus on subject and pedagogy knowledge are a proven method for enhancing the effectiveness of a teacher in the classroom. A recent review of professional development studies by the Department of Education's Institute of

Education Sciences found that “teachers who receive substantial professional development—an average of 49 hours in the nine studies—can boost their students’ achievement by about 21 percentile points.”

The Yale-New Haven Teachers Institute model enhances teachers’ basic writing, math, and presentation skills. It increases expectations of student achievement and enthusiasm for teaching while developing skills for motivating students. These are key features that research suggests are effective in producing gains in both teacher knowledge and practice and student achievement. The Teachers Institutes accomplish student achievement gains through a proven approach distinguished from both conventional professional development offerings of school districts and from traditional continuing education and outreach programs of colleges and universities.

Education Secretary Arne Duncan said recently, “The more we can provide high-quality professional development, so that teachers have deep content knowledge, there are huge benefits. . . . So whether it’s partnerships with universities and higher ed institutions, to create those meaningful professional development opportunities and really create those content-rich environments that students desperately need, that is absolutely critically important.”

This is precisely what the Teachers Professional Development Institutes Act strives to accomplish. The need for effective teachers with deep content knowledge is most apparent and urgent in schools and school districts that enroll a high proportion of students from low-income families, exactly the schools and school districts that Teachers Institutes serve.

The Yale-New Haven Teachers Institute has already proven to be a successful model for teacher professional development as demonstrated by the high caliber curriculum unit plans that teacher participants have developed and placed on the web, and by the evaluations that support the conclusion that virtually all the teacher participants felt substantially strengthened in their mastery of content knowledge and their teaching skills. The finding that Institute participants were almost twice as likely as non-participants to remain in teaching in high-need schools is especially encouraging. Our proposal would open this opportunity to many more teachers in high-need schools throughout the Nation.

I urge my colleagues to act favorably on this measure.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3498

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. TEACHERS PROFESSIONAL DEVELOPMENT INSTITUTES.

(a) IN GENERAL.—Part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended by adding at the end the following:

##### “Subpart 6—Teachers Professional Development Institutes

###### “SEC. 2161. SHORT TITLE.

“This subpart may be cited as the ‘Teachers Professional Development Institutes Act’.

###### “SEC. 2162. FINDINGS AND PURPOSE.

“(a) FINDINGS.—Congress makes the following findings:

“(1) Teaching is central to the educational process and the ongoing professional development of teachers in the subjects they teach is essential for improved student learning.

“(2) Attaining the goal of the No Child Left Behind Act of 2001 (Public Law 107–110)—having a classroom teacher who is highly effective in every academic subject the teacher teaches—will require innovative approaches to improve the effectiveness of teachers in the classroom.

“(3) The Teachers Institute Model focuses on the continuing academic preparation of schoolteachers and the application of what the teachers study to their classrooms and potentially to the classrooms of other teachers.

“(4) The Teachers Institute Model was developed initially by the Yale-New Haven Teachers Institute and has successfully operated in New Haven, Connecticut, for more than 30 years.

“(5) The Teachers Institute Model has also been successfully implemented in cities larger than New Haven.

“(6) In the spring of 2009, a report entitled ‘An Evaluation of Teachers Institute Experiences’ concluded that—

“(A) Teachers Institutes enhance precisely those teacher qualities known to improve student achievement;

“(B) Teachers Institutes exemplify the crucial characteristics of high-quality teacher professional development; and

“(C) Teachers Institute participation is strongly related to teacher retention in high-poverty schools.

“(b) PURPOSE.—The purpose of this subpart is to provide Federal assistance to support the establishment and operation of Teachers Institutes for local educational agencies that serve significant low-income student populations in States throughout the Nation, in order to—

“(1) improve student learning; and

“(2) enhance the quality and effectiveness of teaching and strengthen the subject matter mastery and the pedagogical skills of current teachers through continuing teacher preparation.

###### “SEC. 2163. DEFINITIONS.

“In this subpart:

“(1) SIGNIFICANT LOW-INCOME STUDENT POPULATION.—The term ‘significant low-income student population’ means a student population of which not less than 40 percent of the students included are eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act.

“(2) TEACHERS INSTITUTE.—The term ‘Teachers Institute’ means a partnership or joint venture—

“(A) between or among—

“(i) 1 or more institutions of higher education; and

“(ii) 1 or more local educational agencies that serve 1 or more schools with significant low-income student populations; and

“(B) that improves the effectiveness of teachers in the classroom, and the quality of teaching and learning, through collaborative

seminars designed to enhance both the subject matter and the pedagogical resources of the seminar participants.

**“SEC. 2164. PROGRAM AUTHORIZED.**

“(a) IN GENERAL.—The Secretary is authorized to award grants under this subpart in order to encourage the establishment and operation of Teachers Institutes.

“(b) TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 50 percent of the funds appropriated to carry out this subpart to provide technical assistance to facilitate the establishment and operation of Teachers Institutes. The Secretary may contract with the Yale-New Haven Teachers Institute to provide all or part of the technical assistance under this subsection.

“(c) SELECTION CRITERIA.—In selecting Teachers Institutes to support through grants under this subpart, the Secretary shall consider—

“(1) the extent to which a proposed Teachers Institute will serve schools that have significant low-income student populations;

“(2) the extent to which a proposed Teachers Institute will follow the understandings and necessary procedures described in section 2166;

“(3) the extent to which each local educational agency participating in the Teachers Institute has a high percentage of teachers who are unprepared or underprepared to teach the core academic subjects the teachers are assigned to teach; and

“(4) the extent to which a proposed Teachers Institute will receive a level of support from the community and other sources that will ensure the requisite long-term commitment for the success of a Teachers Institute.

“(d) CONSULTATION.—

“(1) IN GENERAL.—In evaluating applications using the criteria under subsection (c), the Secretary may request the advice and assistance of the Yale-New Haven Teachers Institute or other Teachers Institutes.

“(2) STATE AGENCIES.—If the Secretary receives 2 or more applications for grants under this subpart from local educational agencies within the same State, the Secretary shall consult with the State educational agency regarding the applications.

“(e) FISCAL AGENT.—The fiscal agent for the receipt of grant funds under this subpart shall be an institution of higher education participating in the partnership or joint venture, as described in section 2163(2)(A), that is establishing or operating the Teachers Institute.

“(f) LIMITATIONS.—A grant under this subpart—

“(1) shall provide grant funds for a period of not more than 5 years; and

“(2) shall be in an amount that is not more than 50 percent of the total costs of the eligible activities supported under the grant, as determined by the Secretary.

**“SEC. 2165. ELIGIBLE ACTIVITIES.**

“Grant funds under this subpart may be used—

“(1) for the planning, development, establishment, and operation of a Teachers Institute;

“(2) for additional assistance to an established Teachers Institute for its further development and for its support of the planning, development, establishment, and operation of a Teachers Institute under paragraph (1);

“(3) for the salary and necessary expenses of a full-time director for a Teachers Institute and to act as a liaison between all local educational agencies and institutions of higher education participating in the Teachers Institute;

“(4) to provide suitable office space, staff, equipment, and supplies, and to pay other

operating expenses, for the Teachers Institute;

“(5) to provide a stipend for teachers participating in the collaborative seminars conducted by the Institute in the sciences and humanities and to provide remuneration for members of the faculty of the participating institution of higher education leading the seminars; and

“(6) to provide for the dissemination, through print and electronic means, of curriculum units prepared in the seminars conducted by the Teachers Institute.

**“SEC. 2166. UNDERSTANDINGS AND PROCEDURES.**

“A grantee receiving a grant under this subpart shall abide by the following understandings and procedures:

“(1) PARTNERSHIP.—The essential relationship of a Teachers Institute is a partnership between a local educational agency and an institution of higher education. A grantee shall demonstrate a long-term commitment on behalf of the participating local educational agency and institution of higher education to the support, including the financial support, of the work of the Teachers Institute.

“(2) SEMINARS.—A Teachers Institute sponsors seminars led by faculty of the institution of higher education partner and attended by teachers from the local educational agency partner. A grantee shall provide participating teachers the ability to play an essential role in planning, organizing, conducting, and evaluating the seminars and in encouraging the future participation of other teachers.

“(3) CURRICULUM UNIT.—A seminar described in paragraph (2) uses a collaborative process, in a collegial environment, to develop a curriculum unit for use by participating teachers that sets forth the subject matter to be presented and the pedagogical strategies to be employed. A grantee shall enable participating teachers to develop a curriculum unit, based on the subject matter presented, for use in the teachers' classrooms.

“(4) ELIGIBILITY AND REMUNERATION.—Seminars are open to all partnership teachers with teaching assignments relevant to the seminar topics. Seminar leaders receive remuneration for their work and participating teachers receive an honorarium or stipend upon the successful completion of the seminar. A grantee shall provide seminar leaders and participating teachers with remuneration to allow them to participate in the Teachers Institute.

“(5) DIRECTION.—The operations of a Teachers Institute are managed by a full-time director who reports to both partners but is accountable to the institution of higher education partner. A grantee shall appoint a director to manage and coordinate the work of the Teachers Institute.

“(6) EVALUATION.—A grantee shall annually review the activities of the Teachers Institute and disseminate the results to members of the Teachers Institute's partnership community.

**“SEC. 2167. APPLICATION, APPROVAL, AND AGREEMENT.**

“(a) IN GENERAL.—To receive a grant under this subpart, a Teachers Institute, or a partnership or joint venture described in section 2163(2)(A) that is proposing to establish a Teachers Institute, shall submit an application to the Secretary that—

“(1) meets the requirement of this subpart and any regulations under this subpart;

“(2) includes a description of how the applicant intends to use funds provided under the grant;

“(3) includes such information as the Secretary may require to apply the criteria described in section 2164(c);

“(4) includes measurable objectives for the use of the funds provided under the grant; and

“(5) contains such other information and assurances as the Secretary may require.

“(b) APPROVAL.—The Secretary shall—

“(1) promptly evaluate an application received for a grant under this subpart; and

“(2) notify the applicant, within 90 days of the receipt of a completed application, of the Secretary's determination.

“(c) AGREEMENT.—Upon approval of an application, the Secretary and the applicant shall enter into a comprehensive agreement covering the entire period of the grant.

**“SEC. 2168. REPORTS AND EVALUATIONS.**

“(a) REPORT.—Each grantee under this subpart shall report annually to the Secretary on the progress of the Teachers Institute in achieving the purpose of this subpart.

“(b) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this subpart and submit an annual report regarding the activities assisted under this subpart to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives. The Secretary shall broadly disseminate successful practices developed by Teachers Institutes.

“(c) REVOCATION.—If the Secretary determines that a grantee is not making substantial progress in meeting the purposes of the grant by the end of the second year of the grant under this subpart, the Secretary may take appropriate action, including revocation of further payments under the grant, to ensure that the funds available under this subpart are used in the most effective manner.

**“SEC. 2169. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated for grants (including planning grants) and technical assistance under this subpart—

“(1) \$4,000,000 for fiscal year 2011;

“(2) \$5,000,000 for fiscal year 2012;

“(3) \$6,000,000 for fiscal year 2013;

“(4) \$7,000,000 for fiscal year 2014; and

“(5) \$8,000,000 for fiscal year 2015.”.

(b) TABLE OF CONTENTS.—The table of contents of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 2151 the following:

**“SUBPART 6—TEACHERS PROFESSIONAL DEVELOPMENT INSTITUTES**

“Sec. 2161. Short title.

“Sec. 2162. Findings and purpose.

“Sec. 2163. Definitions.

“Sec. 2164. Program authorized.

“Sec. 2165. Eligible activities.

“Sec. 2166. Understandings and procedures.

“Sec. 2167. Application, approval, and agreement.

“Sec. 2168. Reports and evaluations.”.

By Mr. AKAKA:

S. 3499. A bill to amend title 38, United States Code, to require fiduciaries of individuals receiving benefits under laws administered by the Secretary of Veterans Affairs to authorize the Secretary to obtain financial records with respect to such individuals for purposes of administering such laws, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, as Chairman of the Senate Committee on Veterans' Affairs, I introduce legislation that would provide VA with the means to better protect those VA beneficiaries who have fiduciaries appointed to look after their affairs. This

bill would improve oversight of fiduciaries by authorizing VA to access records at financial institutions for up to 3 years.

Under current law, VA has a 3-month time limit on the authorization to view financial records maintained by a fiduciary, a time period which has proven to be inadequate. In addition, VA lacks the authority to compel a fiduciary to provide a Social Security number or other identifying information needed to track financial records.

The legislation I am introducing today is modeled on Social Security laws and procedures. It will help VA ensure that veterans' monies are not being misused. It would allow VA to require that any person appointed or recognized by VA as a fiduciary be required to sign an authorization for release of records which would be in effect for up to 3 years. If a fiduciary refuses to sign or revokes an authorization, VA would be authorized to remove the fiduciary.

The Committee held a hearing on pending legislation on May 19, 2010, and witnesses from The American Legion and the Veterans of Foreign Wars spoke on the need to strengthen VA's oversight of fiduciaries.

I urge our colleagues to support this bill to protect VA beneficiaries who need assistance with financial management.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3499

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fiduciary Benefits Oversight Act of 2010".

#### SEC. 2. ACCESS BY SECRETARY OF VETERANS AFFAIRS TO FINANCIAL RECORDS OF INDIVIDUALS REPRESENTED BY FIDUCIARIES AND RECEIVING BENEFITS UNDER LAWS ADMINISTERED BY SECRETARY.

Section 5502 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(f)(1) The Secretary may require any person appointed or recognized as a fiduciary for a Department beneficiary under this section to provide authorization for the Secretary to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3415)) from any financial institution any financial record held by the institution with respect to the fiduciary or the beneficiary whenever the Secretary determines that the financial record is necessary—

"(A) for the administration of a program administered by the Secretary; or

"(B) in order to safeguard the beneficiary's benefits against neglect, misappropriation, misuse, embezzlement, or fraud.

"(2) Notwithstanding section 1104(a)(1) of such Act (12 U.S.C. 3404(a)(1)), an authorization provided by a fiduciary under paragraph (1) with respect to a beneficiary shall remain effective until the earliest of—

"(A) the approval by a court or the Secretary of a final accounting of payment of

benefits under any law administered by the Secretary to a fiduciary on behalf of such beneficiary;

"(B) in the absence of any evidence of neglect, misappropriation, misuse, embezzlement, or fraud, the express revocation by the fiduciary of the authorization in a written notification to the Secretary; or

"(C) the date that is three years after the date of the authorization.

"(3)(A) An authorization obtained by the Secretary pursuant to this subsection shall be considered to meet the requirements of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401 et seq.) for purposes of section 1103(a) of such Act (12 U.S.C. 3403(a)), and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act (12 U.S.C. 3404(a)), if the Secretary provides a copy of the authorization to the financial institution.

"(B) The certification requirements of section 1103(b) of such Act (12 U.S.C. 3403(b)) shall not apply to requests by the Secretary pursuant to an authorization provided under this subsection.

"(C) A request for a financial record by the Secretary pursuant to an authorization provided by a fiduciary under this subsection is deemed to meet the requirements of section 1104(a)(3) of such Act (12 U.S.C. 3404(a)(3)) and the matter in section 1102 of such Act (12 U.S.C. 3402) that precedes paragraph (1) of such section if such request identifies the fiduciary and the beneficiary concerned.

"(D) The Secretary shall inform any person who provides authorization under this subsection of the duration and scope of the authorization.

"(E) If a fiduciary of a Department beneficiary refuses to provide, or revokes, any authorization to permit the Secretary to obtain from any financial institution any financial record concerning benefits paid by the Secretary for such beneficiary, the Secretary may, on that basis, revoke the appointment or the recognition of the fiduciary for such beneficiary and for any other Department beneficiary for whom such fiduciary has been appointed or recognized. If the appointment or recognition of a fiduciary is revoked, benefits may be paid as provided in subsection (d).

"(4) For purposes of section 1113(d) of such Act (12 U.S.C. 3413(d)), a disclosure pursuant to this subsection shall be considered a disclosure pursuant to a Federal statute.

"(5) In this subsection:

"(A) The term 'fiduciary' includes any person appointed or recognized to receive payment of benefits under any law administered by the Secretary on behalf of a Department beneficiary.

"(B) The term 'financial institution' has the meaning given such term in section 1101 of such Act (12 U.S.C. 3401), except that such term shall also include any benefit association, insurance company, safe deposit company, money-market mutual fund, or similar entity authorized to do business in any State.

"(C) The term 'financial record' has the meaning given such term in such section."

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 554—DESIGNATING JULY 24, 2010, AS "NATIONAL DAY OF THE AMERICAN COWBOY"

Mr. ENZI (for himself, Mr. BARRASSO, Mr. BAUCUS, Mr. BINGAMAN, Mr. CONRAD, Mr. CRAPO, Mr. JOHANNES, Mr. JOHNSON, Mr. REID, and Mr. ROBERTS)

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

S. RES. 554

Whereas pioneering men and women, recognized as "cowboys", helped establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy is an excellent steward of the land and its creatures, who lives off the land and works to protect and enhance the environment;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the Nation who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, and rodeo is one of the most-watched sports in the Nation;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 24, 2010, as "National Day of the American Cowboy"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

#### SENATE RESOLUTION 555—SUPPORTING THE GOALS AND IDEALS OF NATIONAL OVARIAN CANCER AWARENESS MONTH

Ms. STABENOW (for herself, Mr. VOINOVICH, Mr. SPECTER, Mrs. MURRAY, Mr. BAYH, Mrs. FEINSTEIN, Mr. COCHRAN, Mrs. BOXER, Mr. CARDIN, Mr. MENENDEZ, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 555

Whereas ovarian cancer is the deadliest of all gynecologic cancers;

Whereas ovarian cancer is the 5th leading cause of cancer deaths among women in the United States;

Whereas more than 22,000 women will be diagnosed with ovarian cancer this year, and more than 15,000 will die from it;

Whereas these deaths are those of our mothers, sisters, daughters, family members, and community leaders;

Whereas the mortality rate for ovarian cancer has not significantly decreased since the "War on Cancer" was declared, nearly 40 years ago;

Whereas all women are at risk for ovarian cancer, and 90 percent of women diagnosed