

cosponsors of S. 2103, a bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes.

S. 2143

At the request of Ms. STABENOW, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2143, a bill to amend the Internal Revenue Code of 1986 to clarify that paper which is commonly recycled does not constitute a qualified energy resource under the section 45 credit for renewable electricity production.

S. 2168

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2168, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 2173

At the request of Mr. DEMINT, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2173, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 2179

At the request of Mr. WEBB, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2179, a bill to amend title 38, United States Code, to improve oversight of educational assistance provided under laws administered by the Secretary of Veterans Affairs and the Secretary of Defense, and for other purposes.

S. 2189

At the request of Mr. HARKIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2189, a bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal anti-discrimination and antiretaliation claims, and for other purposes.

S. 2364

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2364, a bill to extend the availability of low-interest refinancing under the local development business loan program of the Small Business Administration.

S. 3234

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3234, a bill to amend the Internal Revenue Code of 1986 to extend the time period for contributing military death gratuities to Roth IRAs and Coverdell education savings accounts.

S. 3242

At the request of Mr. MENENDEZ, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3242, a bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries coordi-

nated care and greater choice with regard to accessing hearing health services and benefits.

S. 3270

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3270, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to consider the resources of individuals applying for pension that were recently disposed of by the individuals for less than fair market value when determining the eligibility of such individuals for such pension, and for other purposes.

S. 3289

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3289, a bill to expand the Medicaid home and community-based services waiver to include young individuals who are in need of services that would otherwise be required to be provided through a psychiatric residential treatment facility, and to change references in Federal law to mental retardation to references to an intellectual disability.

S. 3322

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3322, a bill to strengthen enforcement and clarify certain provisions of the Servicemembers Civil Relief Act, the Uniformed and Overseas Citizens Absentee Voting Act, and chapter 43 of title 38, United States Code, and to reconcile, restore, clarify, and conform similar provisions in other related civil rights statutes, and for other purposes.

S.J. RES. 43

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S.J. Res. 43, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. CON. RES. 48

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Con. Res. 48, a concurrent resolution recognizing 375 years of service of the National Guard and affirming congressional support for a permanent Operational Reserve as a component of the Armed Forces.

S. RES. 493

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. Res. 493, a resolution recognizing that the occurrence of prostate cancer in African-American men has reached epidemic proportions and urging Federal agencies to address that health crisis by supporting education, awareness outreach, and research specifically focused on how prostate cancer affects African-American men.

S. RES. 494

At the request of Mr. CORNYN, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. Res. 494, a resolution condemning the Government of the Russian Federation for providing weapons to the regime of President Bashar al-Assad of Syria.

AMENDMENT NO. 2455

At the request of Mrs. MURRAY, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Michigan (Mr. LEVIN), the Senator from South Dakota (Mr. THUNE), the Senator from Montana (Mr. TESTER), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Ohio (Mr. BROWN), the Senator from Alabama (Mr. SESSIONS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Massachusetts (Mr. BROWN), the Senator from Oklahoma (Mr. INHOFE), the Senator from North Dakota (Mr. CONRAD) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of amendment No. 2455 proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

At the request of Ms. COLLINS, her name was added as a cosponsor of amendment No. 2455 proposed to S. 3240, supra.

AMENDMENT NO. 2460

At the request of Mrs. MURRAY, her name was added as a cosponsor of amendment No. 2460 intended to be proposed to S. 3240, an original bill to reauthorize agricultural programs through 2017, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BEGICH:

S. 3325. A bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, in coordination with the Secretary of Education, to carry out a 5-year demonstration program to fund mental health first aid training programs at 10 institutions of higher education to improve student mental health; to the Committee on Health, Education, Labor, and Pensions.

Mr. BEGICH. Mr. President, today I rise to introduce a very important piece of legislation—the Mental Health First Aid Higher Education Act. The bill authorizes a nationwide demonstration program that treats Mental Health First Aid like the first aid training offered by Red Cross chapters across the United States.

Mental Health First Aid teaches the warning signs and risk factors for schizophrenia, major clinical depression, panic attacks, anxiety disorders, trauma, and other common mental disorders, crisis de-escalation techniques, and equips college and university staff with a 5-step action plan to help individuals in psychiatric crisis connect to professional mental health care.

One in four adults and 10 percent of children in the United States will suffer from a mental illness this year. We know what to do if someone has a heart attack, but how do we react to someone having a panic attack? Why do we wait for a tragic event to take notice and then bring out emergency measures?

When I was Mayor of Anchorage, we worked with the local NAMI organization to train our police in Crisis Intervention Teams, great when responding to a crisis by police officers, but now we need to go further. Mental Health First Aid is for the financial aid workers, the dormitory resident advisers, coaches, and faculty members, to name a few. These are the front-line folks who will learn the warning signs and risk factors before tragedy strikes.

You have heard me say this before, an it is not something to be proud of in Alaska: we have one of the highest suicide prevalence rates in the country. Further, we are a very rural State, where access to mental health care and medical services is often very difficult.

Even today, it is not widely known that fully ⅔ of Alaska can only be accessed by airplane. By educating the general public about the warning signs of common mental disorders, we can intervene early, facilitate access to care, improve clinical outcomes, reduce costs, and maybe save lives.

My bill focuses on higher education because many mental illnesses are “adult onset conditions,” meaning onset of full symptoms generally occurs in late adolescence or young adulthood—just as young people are headed off to college. Therefore, the audiences for this vital training will encompass on-campus counseling center staff, dormitory resident advisers, university threat assessment teams, members of disciplinary committees, coaches and faculty members. The instruction will highlight available mental health resources in local communities including Community Mental Health Centers, emergency psychiatric facilities, hospital emergency rooms and other programs offering psychiatric crisis beds.

The program may also help to avert violence incidents; Mental Health First Aid gained wide public recognition in the aftermath of the tragic shootings in Tucson, AZ, involving our former colleague Rep. Gabrielle Giffords.

Mental disorders are more common than heart disease and cancer combined and a recent *Governing* magazine article reports that many states and localities are moving ahead—teaching their employees how to recognize the signs of mental health problems and how to help.

In this time of austerity, the training is not only important, because it will save lives, it is also inexpensive. Courses costs about \$180, a small price to pay to potentially save lives.

In closing, yes, we are in a presidential election year and the political season often highlights the issues that

divide us as Americans. But the Mental Health First Aid Higher Education Act is not one of them.

In the Alaska tradition, I seek to work across the aisle, and I strongly believe this legislation merits bipartisan support. Please join me in supporting this vital education program that helps to avert suffering, prevent violence and ultimately will save lives.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 3330. A bill to authorize the establishment of a Niblack mining area road corridor in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that would potentially help in solving a significant unemployment problem in my home state of Alaska. Today, joined by my colleague, Senator MARK BEGICH, I introduce the Niblack Mining Area Road Authorization Act to permit road access to proposed multi-mineral mines on southeast Prince of Wales Island in Southeast Alaska.

Prince of Wales Island, formerly the main area for timber activity in Southeast Alaska, has fallen on hard times during the past decade. In 1990, when Alaska’s timber industry in total harvested more than 1.1 billion board feet of timber, Prince of Wales was the center of activity. In 1994, for example, timber jobs accounted for 32.8 percent of all wages on the island. Six years later, with total regional harvests having fallen to about 350 million board feet, timber accounted for less than 19.8 percent of wages on the island, according to the Alaska Department of Labor and Workforce Development. Today, with total harvests of timber being just above 100 million board feet a year in the region—just 35 million board feet being harvested from federal lands in 2011—and timber jobs statewide having fallen from about 4,000 to just over 400, Prince of Wales has been particularly hard hit. According to the State, timber jobs have fallen by more than 1,700 positions on the island.

As of April, the unemployment rate on the island was “down” to 15 percent, compared to 18.1 percent in March. The rate in the Hoonah-Angoon census area, which covers the other potentially significant timber area in Southeast, stood at 20 percent in April, compared to 25.6 percent in March, 2012. Those rates are nearly 8 percent to 12 percent higher than the national average and higher than traditional rates, even after out migration from the island over the past decade.

While the Viking Lumber Co. of Klawock remains the largest private-sector timber employer on the island, the island, the third largest in the United States, is badly in need of new employment opportunities. Fortunately today’s high metal prices are encouraging a resurgence of mineral development on the 2,231 square-mile island.

Currently, Heatherdale Minerals of Canada is considering reopening the Niblack Mine, a gold, copper, zinc and silver deposit. The company is in advanced exploration and development study of the estimated 9 million-ton mine, forecast to cost \$150 million to \$200 million to reopen. The mine, likely to last at least 12 years, is forecast to produce 1,500 tons of ore per day and require 130 workers at the mine site, and another 60 at a processing mill, which could be located near the site, or in Ketchikan, AK, 40 vessel miles away.

The Niblack property is also close to another mineral deposit that is in the advanced stages of economic feasibility review, the Bokan Mountain Rare Earth Elements, REE, mine. Bokan Mountain, being considered for opening by Ucore Inc. of Canada, likely will employ 200 workers. It, too, will involve an investment of between \$150 million to \$200 million for the mine and a preliminary tailings processing plant to process the heavy rare earths, REEs, located at the site of a former uranium mine. Both mines currently estimate they could be open within three to four years, depending on final economic reviews and current permit approval timeframes. Bokan Mountain is located about 28 miles south of Niblack and can be accessed by boat by traveling down the relatively protected Moira Sound to the end of South Arm.

The two mines could produce substantial numbers of high-paying jobs for the residents of southern Southeast Alaska. Niblack, for example, predicts the average salary for mine workers at its facility will be \$80,000 a year. The problem of getting those jobs to people who need them is one of logistics.

There currently is no road access to reach either mine site, both likely to be supplied by boat from Ketchikan, Alaska. That means that potential workers on Prince of Wales will need to travel by boat or more likely by plane to Ketchikan, in order to turn around and take a mine boat back to the island to report for work—a costly, time-consuming, often unpleasant and, sometimes, dangerous process given sea conditions in Southeast Alaska. Or they will need to pilot their own small boats to the mine site, a hazardous process given that reaching Niblack from the community of Thorne Bay to the north—a site that is located on the island’s road system—will require a daily 60-mile one-way boat trip down perilous Clarence Strait, a difficult water body during fall, winter, and spring storms when seas can easily top 20 feet waves.

But the problem could be solved, if a road could be extended the roughly 26.3 miles to connect the Niblack mine, by means of existing logging roads, to the State highway system on the island. Such a road will involve at least 2.5 miles of logging road reconstruction and the construction of 26.3 miles of new road. Those roads, if built to existing logging road standards, are estimated to cost \$7.075 million—the cost

certainly rising if the roads are built to Federal Aid Urban Highway standards. The issue is that 18.3 miles of that new construction is across federal lands in the Tongass National Forest and, more importantly, across areas classified as inventoried roadless under the 2001 U.S. Forest Service roadless rule, as it was reimposed on the Tongass in 2009.

Looking at the topography of the area, located inside the Eudora inventoried roadless area, the road would begin at the Haida, Hydaburg, Native village corporation's West, Cholmondeley, Arm sort yard and head Southeast through the Big Creek Valley and climb to a mountain pass at the roughly 1,400-foot elevation. From there it will drop onto land owned by the Kootznoowoo Native village corporation of Angoon and follow existing logging roads that lie on the western side of the South Arm. The route then runs south and parallels South Arm on the west side until the southern end of the bay is reached. Then the route follows the shoreline of the south end of the South Arm until the far southeast corner of the bay is reached—the location of existing cabins and a State of Alaska Department of Fish and Game fish weir. From this point, there are two potential route alternatives: the 1A route continues to run in a southerly direction through a mountain pass of slightly more than 500-foot elevation passing two unnamed lakes. Once it reaches the shoreline of Dickman Bay, the road turns in a more easterly direction and runs across the south end of Kugel Lake and Luelia Lake, and the north end of Kegan Lake. From the 900-foot elevation pass on the west side of Luelia Lake, the route continues to run in an easterly fashion and must cross 1,200- and 1,400-foot passes before the route turns north to reach the Niblack mine at tidewater. That total route is 26.3 miles of new construction and a total distance of 28.8 miles. There is an alternative, Route 1B, early in the route corridor to reduce the elevation and add switchbacks required to reach the first pass—an alternative that would add 1.9 miles to the road.

There is another alternative route, Route 2A, that leaves from the same location and runs on the same route until the south end of South Arm. The second route then turns in a northerly direction and continues to follow the eastern shoreline of South Arm, Cholmondeley, for roughly 1.5 miles. The route then turns in an eastern direction and climbs through a mountain pass of about 900-foot elevation. From this pass, the route descends into the existing road system on Kootznoowoo lands near the south shores of Miller Lake. At the eastern terminus of these existing roads, the new route picks up again and continues in a southeast direction along the south end of Clarno Cove and Cannery Cove until Cannery Point is reached. From there the route turns into a southerly direction and climbs to another mountain pass of roughly 1,000-foot elevation. The route

then follows the hillside to the west of Niblack Lake and meets another mountain pass of the same elevation and then descends in a southerly direction along the west side of Myrtle Lake to reach the Niblack Mine and tidewater. That route involves 24.6 miles of new construction, 6.1 miles of road reconstruction and involves a total length of 30.7 miles, thus costing more. It involves, however, constructing only one pass higher than 1,200 feet, compared to 3 on the first route, but may have more environmental impacts given its route along Cannery Cove and Niblack Lake.

I mention the two detailed routes only to indicate that substantial work has been done to select a potential road corridor to the Niblack mine and to make clear that I am not prejudging the route with the fewest environmental impacts. I am leaving that to the Forest Service to decide after an environmental assessment or impact statement is undertaken. The legislation I am introducing simply says that the Forest Service should permit development of a road along one of the two routes, picking the route that both minimizes the costs, while also minimizing the effects on surface resources, prevents unnecessary surface disturbances and that complies with all environmental laws and regulations.

This road, I need to point out, will not set a precedent in any way weakening the inventoried roadless rule's implementation in Alaska, regardless of how I feel about that rule. Under the original regulations governing roadless areas in Alaska issued by the Clinton Administration in January 2001, Section 294.12(b)(7) permits roads to be built across inventoried roadless areas if needed "in conjunction with the continuation, extension or renewal of a mineral lease on lands that are under lease by the Secretary of the Interior. . . . Such road construction or reconstruction must be conducted in a manner that minimizes effects on surface resources, prevents unnecessary or unreasonable surface disturbance, and complies with all applicable lease requirements."

The patents on the Niblack property certainly predate the creation of the roadless rule. The mine was discovered in the late 19th century, according to the U.S. Forest Service. Modest copper production occurred between 1902 and 1908 and modern exploration on the 2,000-acre site began in 1974, some 150 patented claims being in place at the mine.

The point is that Niblack is certainly a real prospect that offers the likelihood of real employment for many who are unemployed on Prince of Wales Island, if they simply can access the site from their homes in Craig, Klawock, Hydaburg, Thorne Bay, Kasaan, Whale Pass and even Coffman Cove, located on the northeast end of the island. The need for these jobs has prompted the City Council of Craig to formally request Congress to accelerate the approval of a road corridor to the mine

site. Such a road could be built by the mine, but more likely funded and built by the Alaska Department of Transportation and Public Facilities at state expense. Workers could then access jobs at the Bokan Mountain facility by workboat, should a route to that mine never be approved.

It makes no sense in a state that already contains 58 million acres of formal wilderness, and in the Tongass National Forest, that already contains nearly 6.4 million acres of parks and wilderness areas, to bar construction of a road that does not cross any wilderness areas, but could provide a good income to a third of all of the people, 363 people, unemployed on the island as of April 2012, according to the Alaska Department of Labor and Workforce Development.

I would hope that this Congress would look favorably on allowing a road to this mining area, so that residents on the island can get the jobs they so desperately need in the years ahead.

By Mr. LEAHY:

S. 3335. A bill to ensure the effective administration of criminal justice; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am proud to introduce the Effective Administration of Criminal Justice Act of 2012. This legislation takes important new steps to ensure the fairness of our criminal justice system for all participants.

First, this bill seeks to encourage States to adopt a comprehensive approach in using the Federal funds received through the Edward Byrne Memorial Justice Assistance Grant, JAG, Program. This will help to ensure that their criminal justice systems operate effectively as a whole and that all parts of the system work together and receive the resources they need. Specifically, the bill reinstates a previous requirement of the Byrne JAG Program that States develop, and update annually, a strategic plan detailing how grants received under the program will be used to improve the administration of the criminal justice system. The requirement was removed from the Byrne JAG grant application several years ago, but groups representing States and victims have requested that it be reinstated in order to improve the efficient and effective use of criminal justice resources. The plan must be formulated in consultation with local governments and all segments of the criminal justice system. The Attorney General will also be required to make technical assistance available to help States formulate their strategic plans.

This legislation also takes important new steps to ensure that all criminal defendants, including those who cannot afford a lawyer, receive constitutionally adequate representation. It requires the Department of Justice to assist States that want help developing an effective and efficient system of indigent defense, and it establishes a

cause of action for the Federal government to step in when States are systematically failing to provide the representation called for in the Constitution.

This is a reasonable measure that gives the States assistance and time needed to make necessary changes and seeks to provide an incentive for States to do so. As a former prosecutor, I have great faith in the men and women of law enforcement, and I know that the vast majority of the time our criminal justice system does work fairly and effectively. I also know though that the system only works as it should when each side is well represented by competent and well-trained counsel. It was persuasive to me when Houston District Attorney Patricia Lykos testified before the Judiciary Committee several years ago when this provision was first considered that competent defense attorneys are critical to a prosecutor's job. Our system requires good lawyers on both sides, and incompetent counsel can result not only in needless and time consuming appeals, but far more importantly, it can lead to wrongful convictions and overall distrust in the criminal process. In working on this legislation, I have also learned that the most effective systems of indigent defense are not always the most expensive. In some cases, making the necessary changes may also save States money.

I remain committed to ensuring that our criminal justice system operates as effectively and fairly as possible. Unfortunately, we are not there yet. Too often the quality of justice a defendant receives in our system depends on whether he or she can pay for an attorney. That is repugnant to the American sense of justice and we must do better. Americans need and deserve a criminal justice system which keeps us safe, ensures fairness and accuracy, and fulfills the promise of our constitution for all people. This bill will take important steps to bring us closer to that goal and I urge all Senators to support this legislation.

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

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

S. 3335

*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 "Effective Administration of Criminal Justice Act of 2012".

#### SEC. 2. EFFECTIVE ADMINISTRATION OF CRIMINAL JUSTICE.

(a) STRATEGIC PLANNING.—Section 502 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3752) is amended—

(1) by inserting "(a) IN GENERAL.—" before "To request a grant"; and

(2) by adding at the end the following:

"(6) A comprehensive State-wide plan detailing how grants received under this sec-

tion will be used to improve the administration of the criminal justice system, which shall—

"(A) be designed in consultation with local governments, and all segments of the criminal justice system, including judges, prosecutors, law enforcement personnel, corrections personnel, and providers of indigent defense services, victim services, juvenile justice delinquency prevention programs, community corrections, and reentry services;

"(B) include a description of how the State will allocate funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

"(C) describe the process used by the State for gathering evidence-based data and developing and using evidence-based and evidence-gathering approaches in support of funding decisions; and

"(D) be updated every 5 years, with annual progress reports that—

"(i) address changing circumstances in the State, if any;

"(ii) describe how the State plans to adjust funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

"(iii) provide an ongoing assessment of need;

"(iv) discuss the accomplishment of goals identified in any plan previously prepared under this paragraph; and

"(v) reflect how the plan influenced funding decisions in the previous year.

"(b) TECHNICAL ASSISTANCE.—

"(1) STRATEGIC PLANNING.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments requesting support to develop and implement the strategic plan required under subsection (a)(6).

"(2) PROTECTION OF CONSTITUTIONAL RIGHTS.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments, including any agent thereof with responsibility for administration of justice, requesting support to meet the obligations established by the Sixth Amendment to the Constitution of the United States, which shall include—

"(A) public dissemination of practices, structures, or models for the administration of justice consistent with the requirements of the Sixth Amendment; and

"(B) assistance with adopting and implementing a system for the administration of justice consistent with the requirements of the Sixth Amendment.

"(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$5,000,000 for each of fiscal years 2013 through 2017 to carry out this subsection."

(b) PROTECTION OF CONSTITUTIONAL RIGHTS.—

(1) UNLAWFUL CONDUCT.—It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by officials or employees of any governmental agency with responsibility for the administration of justice, including the administration of programs or services that provide appointed counsel to indigent defendants, that deprives persons of their rights to assistance of counsel as protected under the Sixth Amendment and Fourteenth Amendment to the Constitution of the United States.

(2) CIVIL ACTION BY ATTORNEY GENERAL.—Whenever the Attorney General has reasonable cause to believe that a violation of paragraph (1) has occurred, the Attorney General, for or in the name of the United States, may, in a civil action, obtain appropriate eq-

uitable and declaratory relief to eliminate the pattern or practice.

(3) EFFECTIVE DATE.—Paragraph (2) shall take effect 2 years after the date of enactment of this Act.

By Mr. INOUE (for himself and Mrs. MURRAY):

S. 3336. A bill to authorize the Secretary of Veterans Affairs to carry out a major medical facility project lease for a Department of Veterans Affairs outpatient clinic at Ewa Plain, Oahu, Hawaii, and for other purposes; to the Committee on Veterans' Affairs.

Mr. INOUE. Mr. President, I rise today to introduce an authorization measure for the Department of Veterans Affairs to Advance Leeward Outpatient Healthcare Access, ALOHA, lease in Ewa, HI, and to request the facility be named after my dear friend and colleague Senator DANIEL K. AKAKA.

The new facility will provide support to our proud veterans in the State of Hawaii who live in West Oahu. In addition to serving the needs of our veterans, the facility will include a collocated clinic which will serve our military servicemen and women, and their families. Both the Departments of Defense and Veterans Affairs, VA, will also be able to share ancillary and support services.

I believe naming this joint facility after Senator AKAKA is an appropriate and fitting way to honor his commitment to our military personnel and veterans throughout his years in Congress. As a Member of the Armed Services Committee and the Chairman of the Subcommittee on Readiness, he worked to ensure the Armed Services met their obligation to "man, train, and equip." As the Chairman of the Veterans Affairs Committee, Senator AKAKA also kept watch over and labored to improve the quality of care received by our brave men and women who completed their military service and entered into the VA system.

I hope my colleagues will join me in saluting Senator AKAKA who worked on behalf of the people of the State of Hawaii and this nation to improve the quality of life and care of our military personnel and our veterans.

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. 3336

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

#### SECTION 1. AUTHORIZATION OF DANIEL KAHIKINA AKAKA DEPARTMENT OF VETERANS AFFAIRS CLINIC.

(a) AUTHORIZATION OF FISCAL YEAR 2013 MAJOR MEDICAL FACILITY LEASE.—The Secretary of Veterans Affairs may carry out a major medical facility lease for a Department of Veterans Affairs outpatient clinic at Ewa Plain, Oahu, Hawaii, in an amount not to exceed \$16,453,300.

(b) DESIGNATION.—The outpatient clinic described in subsection (a) shall after the date

of the enactment of this Act be known and designated as the "Daniel Kahikina Akaka Department of Veterans Affairs Clinic".

### SUBMITTED RESOLUTIONS

#### SENATE CONCURRENT RESOLUTION 49—TO DIRECT THE JOINT COMMITTEE ON THE LIBRARY TO ACCEPT A STATUE DEPICTING FREDERICK DOUGLASS FROM THE DISTRICT OF COLUMBIA AND DISPLAY THE STATUE IN A SUITABLE LOCATION IN THE CAPITOL

Mr. SCHUMER (for himself and Mr. DURBIN) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 49

Whereas Frederick Douglass, born Frederick Augustus Washington Bailey in Maryland in 1818, escaped from slavery and became a leading writer, orator, and publisher, and one of the Nation's most influential advocates for abolitionism, women's suffrage, and the equality of all people;

Whereas the contributions of Frederick Douglass over many decades were crucial to the abolition of slavery, the passage of the 13th, 14th, and 15th Amendments to the Constitution of the United States, the support for women's suffrage, and the advancement of African Americans after the Civil War;

Whereas after living in New Bedford, Massachusetts, Frederick Douglass resided for 25 years in Rochester, New York, where he published and edited "The North Star", the leading African-American newspaper in the United States, and other publications;

Whereas self-educated, Frederick Douglass wrote several influential books, including his best-selling first autobiography, "Narrative of the Life of Frederick Douglass, an American Slave", published in 1845;

Whereas Frederick Douglass worked tirelessly for the emancipation of African-American slaves, was a pivotal figure in Underground Railroad activities in Western New York, and was an inspiration to enslaved Americans who aspired to freedom;

Whereas as a well-known speaker in great demand, Frederick Douglass traveled widely, visiting countries such as England and Ireland, to spread the message of emancipation and equal rights;

Whereas Frederick Douglass was the only African American to attend the Seneca Falls Convention, a women's rights convention held in Seneca Falls, New York in 1848;

Whereas during the Civil War, Frederick Douglass recruited African Americans to volunteer as soldiers for the Union Army, including 2 of his sons who served nobly in the Fifty-fourth Massachusetts Regiment;

Whereas in 1872, Frederick Douglass moved to Washington, D.C., after a fire destroyed his home in Rochester, New York;

Whereas Frederick Douglass was appointed as a United States Marshal in 1877 and was named Recorder of Deeds for the District of Columbia in 1881;

Whereas Frederick Douglass became the first African American to receive a vote for nomination as President of the United States at a major party convention for the 1888 Republican National Convention;

Whereas from 1889 to 1891, Frederick Douglass served as minister-resident and consul-general to the Republic of Haiti;

Whereas Frederick Douglass was recognized around the world as one of the most important political activists in the history of the United States;

Whereas Frederick Douglass died in 1895 in Washington, D.C. and is buried in Rochester, New York;

Whereas the statues and busts in the Capitol depicting distinguished Americans number more than 180 and include only 2 African Americans;

Whereas that imbalance fails to show the historically significant contributions of African Americans to the United States;

Whereas it is time to display in the Capitol the statues and busts of outstanding African Americans whose contributions to the Nation deserve that recognition; and

Whereas Frederick Douglass's achievements and influence on the history of the United States merit recognition in the Capitol: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) not later than 2 years after the date on which this resolution is agreed to by both Houses of Congress, the Joint Committee on the Library shall accept from the District of Columbia the donation of a statue depicting Frederick Douglass, subject to the terms and conditions that the Joint Committee considers appropriate;

(2) the Joint Committee shall place the statue in a suitable permanent location in the Capitol; and

(3) all costs associated with the donation, including transportation of the statue to, and placement in, the Capitol, shall be paid by the District of Columbia.

Mr. SCHUMER. Mr. President, I rise today to discuss a bill that would bring a statue depicting Fredrick Douglass to our Nation's Capitol. The life and deeds of this great American need no introduction. He escaped the shackles of slavery to become a leading writer, orator, publisher, and a leader in the abolitionist struggle towards equality for all. I am proud that Fredrick Douglass called Rochester, NY home for 25 years. But others claim him as well. He was born into slavery in Maryland, and lived as a free adult in Massachusetts and, at the end of his life, in Washington, DC. He died here in the Nation's Capitol and is buried in upstate New York. During his time in Rochester, he published the leading African American newspaper in the country. His influential best-selling autobiography, "Narrative of the Life of Frederick Douglass," served as a rallying cry for the abolitionist movement and helped bring an end to that cruel institution. It is therefore fitting that this Fredrick Douglass statue should find its home in the Capitol.

The addition of this statue of Frederick Douglass to our Capitol is long overdue. It is important that the Americans depicted in portraiture and in sculpture in the Capitol reflect the true heritage of our nation and the people who have helped to make it great. Today too few of our artworks depict the richness and diversity of great Americans. In fact, of more than 180 statues and busts in the Capitol, only two are of African Americans. This resolution is a small step toward correcting that imbalance. The acceptance of this Fredrick Douglass statue into our Capitol is appropriate both because of who Fredrick Douglass was as an American and because of who we all are as Americans.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 2461. Mr. REID proposed an amendment to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

SA 2462. Mr. REID proposed an amendment to amendment SA 2461 proposed by Mr. REID to the bill S. 3187, *supra*.

SA 2463. Mr. REID proposed an amendment to the bill S. 3187, *supra*.

SA 2464. Mr. REID proposed an amendment to amendment SA 2463 proposed by Mr. REID to the bill S. 3187, *supra*.

SA 2465. Mr. REID proposed an amendment to amendment SA 2464 proposed by Mr. REID to the amendment SA 2463 proposed by Mr. REID to the bill S. 3187, *supra*.

SA 2466. Mr. REID (for Ms. COLLINS) proposed an amendment to the resolution S. Res. 471, commending the efforts of the women of the American Red Cross Clubmobiles for exemplary service during the Second World War.

SA 2467. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 1940, to amend the National Flood Insurance Act of 1968, to restore the financial solvency of the flood insurance fund, and for other purposes; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

**SA 2461.** Mr. REID proposed an amendment to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; as follows:

At the end, add the following new section:  
**SEC. \_\_\_\_.**

This Act shall become effective 5 days after enactment.

**SA 2462.** Mr. REID proposed an amendment to amendment SA 2461 proposed by Mr. REID to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; as follows:

In the amendment, strike "5 days" and insert "4 days".

**SA 2463.** Mr. REID proposed an amendment to the bill S. 3187, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes; as follows:

At the end, add the following new section:  
**SEC. \_\_\_\_.**

This Act shall become effective 3 days after enactment.

**SA 2464.** Mr. REID proposed an amendment to amendment SA 2463 proposed by Mr. REID to the bill S. 3187, to