

(1) the term “detrimental change in the effect of wave forces” means a significant increase in wave forces or transportation of shore materials; and

(2) the term “eligible area” means an area designated as Zone VI-30, VE, or V on a National Flood Insurance Program rate map.

(b) STUDY.—

(1) STUDY REQUIRED.—The Administrator shall conduct a study assessing the feasibility of granting a waiver of regulations of the Federal Emergency Management Agency (including any legislative proposals that may be necessary to enable the Administrator to grant a waiver) to a community—

(A) to allow new construction within an eligible area located seaward of the reach of the mean high tide if the community demonstrates that the new construction—

(i) will withstand wave forces, currents, and debris impact associated with the base flood; and

(ii) will not increase the elevation of the base flood at any point within the community or cause a detrimental change in the effect of wave forces on properties in the community;

(B) to allow new construction within an eligible area located seaward of the reach of the mean high tide if the community demonstrates that the new construction will not increase the water surface elevation of the base flood at any point within the community;

(C) to allow the use of fill for structural support of buildings within an eligible area if—

(i) the community demonstrates that the effect of the proposed fill will not increase the elevation of the base flood at any point within the community; and

(ii) a licensed engineer having sufficient qualifications and experience demonstrates that—

(I) the substrate on which the fill will be placed will not be eroded during the base flood predicted for the site of the buildings; and

(II) the placed fill is adequately protected from erosion during the base flood event; or

(D) to allow the use of fill for structural support of buildings within an eligible area if the community demonstrates that the effect of the proposed development will not increase the water surface elevation of the base flood at any point within the community.

(2) ADEQUATE PROTECTION OF FILL.—For purposes of paragraph (1)(C)(i)(II), a licensed engineer shall demonstrate adequate protection of fill by calculations that the fill—

(A) will not settle below the elevation of the base flood; and

(B) will resist forces of scour, erosion, and differential settlement.

(3) ADDITIONAL CONSIDERATIONS.—The study required under paragraph (1) shall evaluate the appropriateness of limiting the waivers described in paragraph (1) to locations where—

(A) the main flooding source—

(i) is wave overtopping of the upland; and

(ii) is not surge inundation; and

(B) the breaking wave height in the base flood event is less than 10 feet.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results of the study under subsection (b).

(d) REVISIONS OF CERTAIN CITY ORDINANCES.—The Administrator may not require revisions to section 49.70.400(f)(6) of the Code of Ordinances of the City and Borough of Juneau, Alaska as a condition of continued par-

ticipation in the National Flood Insurance Program before the date that is 1 year after the date on which the Administrator submits the report under subsection (c).

**SA 2481.** Mr. LAUTENBERG 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; as follows:

On page 7, strike line 19 and all that follows through page 8, line 11, and insert the following:

“(A) any residential property which is not the primary residence of an individual; or  
“(B) any business property; and”;

On page 12, lines 1 and 2, strike “(A) through (E)” and insert “(A) and (B)”.

**SA 2482.** Mr. LAUTENBERG 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; as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ FINANCIAL HARDSHIP WAIVER.**

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by this Act, is amended by adding at the end the following:

“(j) FINANCIAL HARDSHIP WAIVER.—

“(1) WAIVER.—Notwithstanding subsection (e)(2), the Administrator shall establish a risk premium rate for a policyholder with respect to a property described in subparagraph (B), (C), or (E) of section 1307(a)(2) that is equal to the risk premium rate that would have applied to the property if the Administrator were not required to increase risk premium rates under subsection (e)(2), if the Administrator determines that an increase in the risk premium rate under subsection (e)(2) would cause undue financial hardship for the policyholder.

“(2) CONSIDERATIONS.—In making a determination under paragraph (1) with respect to a policyholder, the Administrator shall take into consideration the cost of living in the area where the property is located.”.

**SA 2483.** Mr. BARRASSO (for himself and Mr. INHOFE) 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; as follows:

On page 5, between lines 7 and 8, insert the following:

(3) CLIMATE SCIENCE.—The term “climate science”—

(A) means natural climate variability; and  
(B) does not include the study of anthropogenic climate change.

On page 50, beginning on line 24, strike “and the potential” and all that follows through “warming” on page 51, line 2.

**SA 2484.** Mr. BARRASSO (for himself and Mr. INHOFE) 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; as follows:

On page 44, strike line 8 and all that follows through page 45, line 10.

On page 50, strike line 19 and all that follows through page 51, line 2, and insert the following:

related hazards; and

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. MANCHIN. 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 June 26, 2012 at 10 a.m., to conduct a committee hearing entitled “Empowering and Protecting Servicemembers, Veterans and Their Families in the Consumer Financial Marketplace: A Status Update.”

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON FOREIGN RELATIONS**

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 26, 2012, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON THE JUDICIARY**

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 26, 2012, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Prohibiting the Use of Deceptive Practices and Voter Intimidation Tactics in Federal Elections: S. 1994,”

The PRESIDING OFFICER. Without objection, it is so ordered.

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. MANCHIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 26, 2012, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Mr. ENZI. Mr. President, I ask unanimous consent that Sergio Perez, Peter Bautz, Bill McConaughay, and Sean O'Connor of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMENDING ROTARY INTERNATIONAL**

Mr. DURBIN. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 434, S. Res. 473.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 473) commending Rotary International and others for their efforts to prevent and eradicate polio.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 473) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 473

Whereas polio is a highly infectious disease that primarily affects children and for which there is no known cure;

Whereas polio can leave survivors permanently disabled from muscle paralysis of the limbs and occasionally leads to a particularly difficult death through the paralysis of respiratory muscles;

Whereas polio was once one of the most dreaded diseases in the United States, killing thousands annually in the late 19th and early 20th centuries and leaving thousands more with permanent disability, including the 32nd President of the United States, Franklin Delano Roosevelt;

Whereas severe polio outbreaks in the 1940s and 1950s caused panic in the United States, as parents kept children indoors, public health officials quarantined infected individuals, and the Federal Government restricted commerce and travel;

Whereas 1952 was the peak of the polio epidemic in the United States, with more than 57,000 people affected, 21,000 of whom were paralyzed and 3,000 of whom died;

Whereas safe and effective polio vaccines, including the Inactivated Polio Vaccine (commonly known as "IPV"), developed in 1952 by Jonas Salk, and the Oral Polio Vaccine (commonly known as "OPV"), developed in 1957 by Albert Sabin, rendered polio preventable and contributed to the rapid decline of polio incidence in the United States;

Whereas polio, a preventable disease that the United States has been free from since 1979, still needlessly lays victim to children and adults in several countries where challenges such as active conflict and lack of infrastructure hamper access to vaccines;

Whereas the eradication of polio is the highest priority of Rotary International, a global association that was founded in 1905 in Chicago, Illinois, is currently headquartered in Evanston, Illinois, and has 1,200,000 members in more than 170 countries;

Whereas Rotary International and its members (commonly known as "Rotarians") have contributed more than \$1,000,000,000 and volunteered countless hours in the global fight against polio;

Whereas the Federal Government is the leading public sector donor to the Global Polio Eradication Initiative and provides technical and operational leadership to this global effort through the work of the Centers for Disease Control and the United States Agency for International Development;

Whereas Rotary International, the World Health Organization, the United States Government, the United Nations Children's Fund (commonly known as "UNICEF"), and the Bill and Melinda Gates Foundation have joined together with national governments to successfully reduce cases of polio by more

than 99 percent since 1988, from 350,000 reported cases in 1988 to fewer than 700 reported cases in 2011;

Whereas polio was recently eliminated in India and is now endemic only in Nigeria, Pakistan, and Afghanistan; and

Whereas the eradication of polio is imminently achievable and will be a victory shared by all of humanity: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends Rotary International and others for their efforts in vaccinating children around the world against polio and for the tremendous strides made toward eradicating the disease once and for all;

(2) encourages the international community of governments and non-governmental organizations to remain committed to the elimination of polio; and

(3) encourages continued commitment and funding by the United States Government to the global effort to rid the world of polio.

## RESOLUTIONS SUBMITTED TODAY

Mr. DURBIN. I ask unanimous consent the Senate proceed to immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 506, S. Res. 507, S. Res. 508, S. Res. 509, and S. Res. 510.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, this resolution, S. Res. 506, on behalf of myself and the distinguished Republican leader, Mr. McCONNELL, concerns a request for representation in a pro se civil action pending in Indiana small claims court. In this action, the plaintiff seeks damages from a former Member of the Indiana House of Representatives arising out of plaintiff's efforts to obtain Social Security benefits. Plaintiff has issued trial subpoenas to former Senator Evan Bayh and an unnamed employee of his former Senate office for testimony arising out of their Senate duties.

This resolution would authorize the Senate Legal Counsel to represent Senator Bayh and employees of his former Senate office in this case to seek to quash the subpoenas on the ground that the Senator and his former staff lack personal knowledge of the relevant events and other legal bases. The resolution would also authorize the former constituent services director for Senator Bayh to submit a declaration in support of the motion to quash attesting that she has no knowledge of anyone in the former Senator's office who has any information relevant to this case.

Mr. DURBIN. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 506

To authorize legal representation in *Bilbrey v. Tyler*

Whereas, in the case of *Bilbrey v. Tyler*, No. 18C04-1111-SC-2209, pending in Delaware Circuit Court No. 4, Small Claims Division, in Muncie, Indiana, the plaintiff has sought testimony from former Senator Evan Bayh and an unnamed employee of his former Senate office;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent former Members and former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent Senator Bayh and former employees of his Senate office in *Bilbrey v. Tyler* and related proceedings.

SEC. 2. Senator Bayh's former director of constituent services, Karen Railing, is authorized to submit a declaration in this case.

S. RES. 507

Congratulating the Miami Heat for winning the National Basketball Association Championship

Whereas, on June 21, 2012, the Miami Heat defeated the Oklahoma City Thunder by a score of 121 to 106 in Miami, Florida, winning the second National Basketball Association (NBA) Championship in the history of the Miami Heat franchise;

Whereas, during the 2012 NBA Playoffs, the Heat defeated the New York Knicks, the Indiana Pacers, the Boston Celtics, and the Oklahoma City Thunder;

Whereas the Heat became the first team to win an NBA title after trailing in three different postseason series;

Whereas, after losing the first game of the NBA Finals, the Heat came back to win 4 games in a row, which earned the team an overall record of 62-27 and the right to be named NBA champions;

Whereas LeBron James, who averaged 28.6 points during the Finals, was named the Most Valuable Player of the NBA Finals;

Whereas Dwyane Wade and Udonis Haslem have been integral players on both Miami Heat championship teams;

Whereas Chris Bosh returned from serious injury to contribute significantly to the team;

Whereas each member of the Miami Heat roster, including Joel Anthony, Shane Battier, Chris Bosh, Mario Chalmers, Norris Cole, Eddy Curry, Terrel Harris, Udonis Haslem, Juwan Howard, LeBron James, James Jones, Mike Miller, Dexter Pittman, Ronny Turiaf, and Dwyane Wade, played an essential role in bringing a second NBA Championship to Miami;

Whereas Erik Spoelstra and his assistant coaches Bob McAdoo, Keith Askins, Ron Rothstein, David Fizdale, Chad Kammerer, Octavio De La Grana, Bill Foran, as well as trainers Jay Sabol, Rey Jaffet, and Rob Pimental, worked with the Miami Heat players and maintained a standard of excellence;