

Fay Hartog-Levin, or Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.

Stephen J. Rapp, of Iowa, to be Ambassador at Large for War Crimes Issues.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MILITARY SPOUSES RESIDENCY RELIEF ACT

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 108, S. 475.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 475) to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

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

Mr. BROWN. Mr. President, I ask unanimous consent that the bill be read the third time and passed; that the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements related thereto be printed in the RECORD.

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

The bill (S. 475) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 475

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 "Military Spouses Residency Relief Act".

SEC. 2. GUARANTEE OF RESIDENCY FOR SPOUSES OF MILITARY PERSONNEL FOR VOTING PURPOSES.

(a) IN GENERAL.—Section 705 of the Servicemembers Civil Relief Act (50 U.S.C. App. 595) is amended—

(1) by striking "For" and inserting the following:

"(a) IN GENERAL.—For";

(2) by adding at the end the following new subsection:

"(b) SPOUSES.—For the purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or a State or local office, a person who is absent from a State because the person is accompanying the person's spouse who is absent from that same State in compliance with military or naval orders shall not, solely by reason of that absence—

"(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;

"(2) be deemed to have acquired a residence or domicile in any other State; or

"(3) be deemed to have become a resident in or a resident of any other State."; and

(3) in the section heading, by inserting "AND SPOUSES OF MILITARY PERSONNEL" before the period at the end.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act (50 U.S.C.

App. 501) is amended by striking the item relating to section 705 and inserting the following new item:

"Sec. 705. Guarantee of residency for military personnel and spouses of military personnel."

(c) APPLICATION.—Subsection (b) of section 705 of such Act (50 U.S.C. App. 595), as added by subsection (a) of this section, shall apply with respect to absences from States described in such subsection (b) on or after the date of the enactment of this Act, regardless of the date of the military or naval order concerned.

SEC. 3. DETERMINATION FOR TAX PURPOSES OF RESIDENCE OF SPOUSES OF MILITARY PERSONNEL.

(a) IN GENERAL.—Section 511 of the Servicemembers Civil Relief Act (50 U.S.C. App. 571) is amended—

(1) in subsection (a)—

(A) by striking "A servicemember" and inserting the following:

"(1) IN GENERAL.—A servicemember"; and

(B) by adding at the end the following:

"(2) SPOUSES.—A spouse of a servicemember shall neither lose nor acquire a residence or domicile for purposes of taxation with respect to the person, personal property, or income of the spouse by reason of being absent or present in any tax jurisdiction of the United States solely to be with the servicemember in compliance with the servicemember's military orders if the residence or domicile, as the case may be, is the same for the servicemember and the spouse.";

(2) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively;

(3) by inserting after subsection (b) the following new subsection:

"(c) INCOME OF A MILITARY SPOUSE.—Income for services performed by the spouse of a servicemember shall not be deemed to be income for services performed or from sources within a tax jurisdiction of the United States if the spouse is not a resident or domiciliary of the jurisdiction in which the income is earned because the spouse is in the jurisdiction solely to be with the servicemember serving in compliance with military orders."; and

(4) in subsection (d), as redesignated by paragraph (2)—

(A) in paragraph (1), by inserting "or the spouse of a servicemember" after "The personal property of a servicemember"; and

(B) in paragraph (2), by inserting "or the spouse's" after "servicemember's".

(b) APPLICATION.—Subsections (a)(2) and (c) of section 511 of such Act (50 U.S.C. App. 571), as added by subsection (a) of this section, and the amendments made to such section 511 by subsection (a)(4) of this section, shall apply with respect to any return of State or local income tax filed for any taxable year beginning with the taxable year that includes the date of the enactment of this Act.

SEC. 4. SUSPENSION OF LAND RIGHTS RESIDENCY REQUIREMENT FOR SPOUSES OF MILITARY PERSONNEL.

(a) IN GENERAL.—Section 508 of the Servicemembers Civil Relief Act (50 U.S.C. App. 568) is amended in subsection (b) by inserting "or the spouse of such servicemember" after "a servicemember in military service".

(b) APPLICATION.—The amendment made by subsection (a) shall apply with respect to servicemembers in military service (as defined in section 101 of such Act (50 U.S.C. App. 511)) on or after the date of the enactment of this Act.

RECOGNIZING THE NONCOMMISSIONED OFFICERS OF THE UNITED STATES ARMY

Mr. BROWN. Mr. President, I ask unanimous consent that the Committee on Armed Service be discharged from further consideration of H. J. Res. 44, and that the Senate proceed to its consideration.

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

The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 44) to recognize the service, sacrifice, honor and professionalism of the Noncommissioned Officers of the United States Army.

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

Mr. BROWN. Mr. President, I ask unanimous consent that the joint resolution be read the third time and passed; that the motion to reconsider be laid upon the table; that the preamble be agreed to; further, that any statements relating thereto be printed in the RECORD.

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

The joint resolution (H.J. Res. 44) was ordered to a third reading, was read the third time and passed.

The preamble was agreed to.

NATIONAL PURPLE HEART RECOGNITION DAY

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 239, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 239) supporting the goals and ideals of "National Purple Heart Recognition Day."

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

Mr. REID. Mr. President, I rise today to thank two of my colleagues, Senators LINCOLN and CRAPO for introducing the Senate resolution designating August 7, 2009, as National Purple Heart Recognition Day.

I am proud to support the commemoration of our Nation's Purple Heart recipients by granting them and their families a much deserved day of recognition. More than one and a half million Americans have earned the Purple Heart Medal, and this is just one more way we can honor their service.

The Purple Heart Medal is awarded in the name of the President, and it designates those servicemembers who have been wounded in the service of our Nation during combat or an act of terrorism. Many recipients have paid the ultimate sacrifice, and it is a symbol of true selflessness. The brave men and women of the U.S. Armed Forces today volunteer knowing full well the hazards of their chosen profession. On