

projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) shall be considered a public use for purposes of eminent domain.

SEC. 410. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 411. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 412. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

SEC. 413. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a-10c).

SEC. 414. All departments, agencies or other Federal entities funded under this Act shall notify the Senate and House of Representatives Committees on Appropriations no later than 7 days before any public or internet announcement by the Department or Administration regarding any new program or activity, including any changes to existing or proposed programs or activities.

SEC. 415. None of the funds made available under this Act may be distributed to the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries.

SEC. 416. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency or department to the Committee on Appropriations of either the Senate or the House of Representatives in this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

This Act may be cited as the "Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2010".

NATIONAL FALLS PREVENTION AWARENESS DAY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 276, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 276) designating September 22, 2009, as "National Falls Prevention Awareness Day."

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that 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 that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 276) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 276

Whereas older adults age 65 and over are the fastest growing segment of our population and whose numbers will increase from 35,000,000 in 2000 to 55,000,000 in 2020;

Whereas 1 in every 3 people in the United States who are 65 years of age or older falls each year;

Whereas falls are the leading cause of injury, deaths, and hospital admissions for traumatic injuries among adults 65 years of age and older;

Whereas, in 2007, approximately 1,900,000 people with fall-related injuries were treated in hospital emergency departments and approximately 492,000 were hospitalized after treatment;

Whereas, in 2006, more 16,600 people aged 65 and older died from injuries related to unintentional falls;

Whereas, in 2000, direct medical costs for fall-related injuries for adults aged 65 and older totaled more than \$19,000,000,000;

Whereas the Centers for Disease Control and Prevention estimate that if the rate of increase in falls is not slowed, annual direct treatment costs under the Medicare program will reach \$32,400,000,000 by 2020;

Whereas evidence-based programs show promise in reducing falls and facilitating cost-effective interventions, such as comprehensive clinical assessments, exercise programs to improve balance and health, management of medications, correction of vision, and reduction of home hazards;

Whereas research indicates that fall prevention programs for high-risk older adults have a net-cost savings of almost \$9 in benefits to society for each \$1 invested;

Whereas the Safety of Seniors Act of 2007 (Public Law 110-202) was enacted to amend the Public Health Service Act (42 U.S.C. 280b et seq.) to create a national education campaign aimed at older adults, their families, and healthcare providers, and injury prevention programs that focus on the reduction and prevention of falls among older adults; and

Whereas the Falls Free Coalition Advocacy Work Group and its numerous national and State supporting organizations should be commended for their efforts to raise awareness and to promote better understanding, research, and programs to prevent falls among older adults: Now, therefore, be it Resolved, That the Senate—

(1) designates September 22, 2009, as "National Falls Prevention Awareness Day";

(2) commends the Falls Free Coalition Advocacy Work Group and the 22 State falls

coalitions for their efforts to work together to increase education and awareness about the prevention of falls among older adults;

(3) encourages businesses, individuals, Federal, State, and local governments, the public health community, and health care providers to work together to promote the awareness of falls in an effort to reduce the incidence of falls among older people in the United States;

(4) urges the Centers for Disease Control and Prevention to continue developing and evaluating interventions to prevent falls among older adults that can be used in effective community-based fall prevention programs;

(5) encourages State health departments to use their significant leadership to reduce injuries and injury-related health care costs by collaborating with colleagues and a variety of organizations and individuals to reduce falls among older adults; and

(6) recognizes proven, cost effective fall prevention programs and policies and encourages experts in the field of fall prevention to share their best practices so that their success can be replicated by others.

NATIONAL PROSTATE CANCER AWARENESS MONTH

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 277, which was submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 277) designating September 2009 as "National Prostate Cancer Awareness Month."

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 277) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 277

Whereas countless families in the United States live with prostate cancer;

Whereas 1 in 6 men in the United States will be diagnosed with prostate cancer in his lifetime;

Whereas prostate cancer is the most commonly-diagnosed non-skin cancer and the second most common cause of cancer-related deaths among men in the United States;

Whereas in 2009, 192,280 men in the United States will be diagnosed with prostate cancer and 27,360 men in the United States will die of prostate cancer;

Whereas 30 percent of new diagnoses of prostate cancer occur in men under the age of 65;

Whereas a man in the United States turns 50 years old approximately every 14 seconds, increasing his odds of developing cancer, including prostate cancer;

Whereas African-American males suffer a prostate cancer incidence rate up to 65 percent higher than white males and double the prostate cancer mortality rates of white males;