

Working Group, chaired by an Ambassador-at-Large for War Crimes Issues from 1998 to 2000;

Whereas, in 2005, the United States and all other members of the United Nations agreed that the international community has “a responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapter VI and VIII of the United Nations Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity,” and to take direct action if national authorities are unwilling or unable to protect their populations;

Whereas the 2006 National Security Strategy of the United States stated, “The world needs to start honoring a principle that many believe has lost its force in parts of the international community in recent years: genocide must not be tolerated. It is a moral imperative that states take action to prevent and punish genocide. . . . We must refine United States Government efforts—economic, diplomatic, and law-enforcement—so that they target those individuals responsible for genocide and not the innocent citizens they rule.”;

Whereas the United States Holocaust Memorial Museum, the American Academy of Diplomacy, and the United States Institute of Peace convened a Genocide Prevention Task Force, co-chaired by former Secretary of State Madeleine Albright and former Secretary of Defense William Cohen, to explore how the United States Government could better respond to threats of genocide and mass atrocities;

Whereas the final report of the Genocide Prevention Task Force, released in December 2008, concluded that the lack of an overarching policy framework or a standing interagency process, as well as insufficient and uncoordinated institutional capacities, undermines the ability of the United States Government to help prevent genocide or mass killings and offered recommendations for creating a government wide strategy;

Whereas the former Director of National Intelligence, in his annual threat assessment to Congress in February 2010, highlighted countries at risk of genocide and mass atrocities and stated, “Within the past 3 years, the Democratic Republic of Congo and Sudan all suffered mass killing episodes through violence starvation, or death in prison camps . . . Looking ahead over the next 5 years, a number of countries in Africa and Asia are at significant risk for a new outbreak of mass killing.”;

Whereas the Quadrennial Defense Review, released in February 2010, states that the Defense Department should be prepared to provide the President with options for “preventing human suffering due to mass atrocities or large-scale natural disasters abroad”;

Whereas the 2010 National Security Strategy notes, “The United States is committed to working with our allies, and to strengthening our own internal capabilities, in order to ensure that the United States and the international community are proactively engaged in a strategic effort to prevent mass atrocities and genocide. In the event that prevention fails, the United States will work both multilaterally and bilaterally to mobilize diplomatic, humanitarian, financial, and—in certain instances—military means to prevent and respond to genocide and mass atrocities.”;

Whereas genocide and mass atrocities often result from and contribute to instability and conflict, which can cross borders and exacerbate threats to international security and the national security of the United States;

Whereas the failure to prevent genocide and mass atrocities can lead to significant costs resulting from regional instability, refugee flows, peacekeeping, economic loss, and the challenges of post-conflict reconstruction and reconciliation; and

Whereas United States leadership and actions toward preventing and mitigating future genocides and mass atrocities can save human lives and help foster beneficial global partnerships: Now, therefore, be it

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

(1) recommits to honor the memory of the victims of the Holocaust as well as the victims of all past genocides and mass atrocities;

(2) affirms that it is in the national interest and aligned with the values of the United States to work vigorously with international partners to prevent and mitigate future genocides and mass atrocities;

(3) supports efforts made thus far by the President, the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Defense, and the Director of National Intelligence to improve the capacity of the United States Government to anticipate, prevent, and address genocide and mass atrocities, including the establishment of an interagency policy committee and a National Security Council position dedicated to the prevention of genocide and other mass atrocities;

(4) urges the President—

(A) to direct relevant departments and agencies of the United States Government to review and evaluate existing capacities for anticipating, preventing, and responding to genocide and other mass atrocities, and to determine specific steps to coordinate and enhance those capacities; and

(B) to develop and communicate a whole of government approach and policy to anticipate, prevent, and mitigate acts of genocide and other mass atrocities;

(5) urges the Secretary of State, working closely with the Administrator of the United States Agency for International Development—

(A) to ensure that all relevant officers of the Foreign Service and particularly those deploying to areas undergoing significant conflict or considered to be at risk of significant conflict, genocide, and other mass atrocities receive appropriate advanced training in early warning and conflict prevention, mitigation, and resolution;

(B) to determine appropriate leadership, structure, programs, and mechanisms within the Department of State and the United States Agency for International Development that can enhance efforts to prevent genocide and other mass atrocities; and

(C) to include relevant recommendations for enhancing civilian capacities to help prevent and mitigate genocide and mass atrocities in the upcoming Quadrennial Diplomacy and Development Review;

(6) urges the Secretary of the Treasury, working in consultation with the Secretary of State, to review how sanctions and other financial tools could be used against state and commercial actors found to be directly supporting or enabling genocides and mass atrocities;

(7) recognizes the importance of flexible contingency crisis funding to enable United States civilian agencies to respond quickly to help prevent and mitigate crises that could lead to significant armed conflict, genocide, and other mass atrocities;

(8) urges the Secretary of Defense to conduct an analysis of the doctrine, organization, training, material, leadership, personnel, and facilities required to prevent and respond to genocide and mass atrocities;

(9) encourages the Secretary of State and Secretary of Defense to work with the relevant congressional committees to ensure that a priority goal of all United States security assistance and training is to support legitimate, accountable security forces committed to upholding the sovereign responsibility to protect civilian populations from violence, especially genocide and other mass atrocities;

(10) supports efforts by the United States Government to provide logistical, communications, and intelligence support, as appropriate, to assist multilateral diplomatic efforts and peace operations in preventing mass atrocities and protecting civilians;

(11) calls on other members of the international community to increase their support for multilateral diplomatic efforts and peace operations to more effectively prevent mass atrocities and protect civilians;

(12) encourages the Secretary of State to work closely with regional and international organizations, the United Nations Special Adviser for the Prevention of Genocide, and civil society experts to develop and expand multilateral mechanisms for early warning, information sharing, and rapid response diplomacy for the prevention of genocide and other mass atrocities; and

(13) commits to calling attention to areas at risk of genocide and other mass atrocities and ensuring that the United States Government has the tools and resources to enable its efforts to prevent genocide and mass atrocities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4588. Mrs. FEINSTEIN (for herself and Mr. BOND) proposed an amendment to the bill S. 3611, to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

SA 4589. Mrs. LINCOLN (for herself and Mr. CHAMBLISS) proposed an amendment to the bill S. 3307, to reauthorize child nutrition programs, and for other purposes.

SA 4590. Mr. KYL (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 5875, making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 4591. Mr. KYL (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 5875, supra; which was ordered to lie on the table.

SA 4592. Mr. KYL (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 5875, supra; which was ordered to lie on the table.

SA 4593. Mr. SCHUMER (for himself, Mr. REID, Mr. INOUE, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BINGAMAN, Mrs. MCCASKILL, Mr. CASEY, Mr. MERKLEY, Mr. UDALL, of Colorado, Mr. BEGICH, Mr. BURRIS, Mrs. LINCOLN, Mr. UDALL, of New Mexico, Mr. KYL, and Mr. MCCAIN) proposed an amendment to the bill H.R. 5875, supra.

SA 4594. Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) proposed an amendment to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

SA 4595. Mr. REID (for Mr. NELSON, of Florida) proposed an amendment to amendment SA 4594 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra.

SA 4596. Mr. REID (for Mr. JOHANNES) proposed an amendment to amendment SA 4595 proposed by Mr. REID (for Mr. NELSON of Florida) to the amendment SA 4594 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, supra.

SA 4597. Mr. REID proposed an amendment to the bill H.R. 5297, supra.

SA 4598. Mr. REID proposed an amendment to amendment SA 4597 proposed by Mr. REID to the bill H.R. 5297, supra.

SA 4599. Mr. REID proposed an amendment to the bill H.R. 5297, supra.

SA 4600. Mr. REID proposed an amendment to amendment SA 4599 proposed by Mr. REID to the bill H.R. 5297, supra.

SA 4601. Mr. REID proposed an amendment to amendment SA 4600 proposed by Mr. REID to the amendment SA 4599 proposed by Mr. REID to the bill H.R. 5297, supra.

SA 4602. Mr. REID (for Mr. ROCKEFELLER) proposed an amendment to the bill S. 3729, to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes.

SA 4603. Mr. REID (for Mr. PRYOR (for himself, Mr. ENSIGN, Mr. KERRY, and Mrs. HUTCHISON)) proposed an amendment to the bill S. 3304, to increase the access of persons with disabilities to modern communications, and for other purposes.

SA 4604. Mr. REID (for Mr. LEVIN (for himself and Mr. LUGAR)) proposed an amendment to the resolution S. Res. 322, expressing the sense of the Senate on religious minorities in Iraq.

SA 4605. Mr. REID (for Mr. LEVIN (for himself and Mr. LUGAR)) proposed an amendment to the resolution S. Res. 322, supra.

#### TEXT OF AMENDMENTS

**SA 4588.** Mrs. FEINSTEIN (for herself and Mr. BOND) proposed an amendment to the bill S. 3611, to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; as follows:

On page 12, strike lines 3 through 9 and insert the following:

#### SEC. 106. BUDGETARY PROVISIONS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Beginning on page 88, strike line 20 and all that follows through page 89, lines 16 and insert the following:

(1) CONGRESSIONAL ARMED SERVICES COMMITTEES.—To the extent that the report required by subsection (a) addresses an element of the intelligence community within the Department of Defense, the Director of National Intelligence, in consultation with the Secretary of Defense, shall submit that portion of the report, and any associated material that is necessary to make that portion understandable, to the Committee on Armed

Services of the Senate and the Committee on Armed Services of the House of Representatives. The Director of National Intelligence may authorize redactions of the report and any associated materials submitted pursuant to this paragraph, if such redactions are consistent with the protection of sensitive intelligence sources and methods.

(2) CONGRESSIONAL JUDICIARY COMMITTEES.—To the extent that the report required by subsection (a) addresses an element of the intelligence community within the Department of Justice, the Director of National Intelligence, in consultation with the Attorney General, shall submit that portion of the report, and any associated material that is necessary to make that portion understandable, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives. The Director of National Intelligence may authorize redactions of the report and any associated materials submitted pursuant to this paragraph, if such redactions are consistent with the protection of sensitive intelligence sources and methods.

Beginning on page 89, strike line 17 and all that follows through page 91, line 6.

Beginning on page 91, strike line 10 and all that follows through page 92, line 15.

On page 214, line 16, strike "committees" and insert "committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives".

**SA 4589.** Mrs. LINCOLN (for herself and Mr. CHAMBLISS) proposed an amendment to the bill S. 3307, to reauthorize child nutrition programs, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Healthy, Hunger-Free Kids Act of 2010".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definition of Secretary.

#### TITLE I—A PATH TO END CHILDHOOD HUNGER

##### Subtitle A—National School Lunch Program

- Sec. 101. Improving direct certification.
- Sec. 102. Categorical eligibility of foster children.
- Sec. 103. Direct certification for children receiving Medicaid benefits.
- Sec. 104. Eliminating individual applications through community eligibility.
- Sec. 105. Grants for expansion of school breakfast programs.

##### Subtitle B—Summer Food Service Program

- Sec. 111. Alignment of eligibility rules for public and private sponsors.
- Sec. 112. Outreach to eligible families.
- Sec. 113. Summer food service support grants.

##### Subtitle C—Child and Adult Care Food Program

- Sec. 121. Simplifying area eligibility determinations in the child and adult care food program.
- Sec. 122. Expansion of afterschool meals for at-risk children.

##### Subtitle D—Special Supplemental Nutrition Program for Women, Infants, and Children

- Sec. 131. Certification periods.

##### Subtitle E—Miscellaneous

- Sec. 141. Childhood hunger research.
- Sec. 142. State childhood hunger challenge grants.
- Sec. 143. Review of local policies on meal charges and provision of alternate meals.

#### TITLE II—REDUCING CHILDHOOD OBESITY AND IMPROVING THE DIETS OF CHILDREN

##### Subtitle A—National School Lunch Program

- Sec. 201. Performance-based reimbursement rate increases for new meal patterns.
- Sec. 202. Nutrition requirements for fluid milk.
- Sec. 203. Water.
- Sec. 204. Local school wellness policy implementation.
- Sec. 205. Equity in school lunch pricing.
- Sec. 206. Revenue from nonprogram foods sold in schools.
- Sec. 207. Reporting and notification of school performance.
- Sec. 208. Nutrition standards for all foods sold in school.
- Sec. 209. Information for the public on the school nutrition environment.
- Sec. 210. Organic food pilot program.

##### Subtitle B—Child and Adult Care Food Program

- Sec. 221. Nutrition and wellness goals for meals served through the child and adult care food program.
- Sec. 222. Interagency coordination to promote health and wellness in child care licensing.
- Sec. 223. Study on nutrition and wellness quality of child care settings.

##### Subtitle C—Special Supplemental Nutrition Program for Women, Infants, and Children

- Sec. 231. Support for breastfeeding in the WIC Program.
- Sec. 232. Review of available supplemental foods.

##### Subtitle D—Miscellaneous

- Sec. 241. Nutrition education and obesity prevention grant program.
- Sec. 242. Procurement and processing of food service products and commodities.
- Sec. 243. Access to Local Foods: Farm to School Program.
- Sec. 244. Research on strategies to promote the selection and consumption of healthy foods.

#### TITLE III—IMPROVING THE MANAGEMENT AND INTEGRITY OF CHILD NUTRITION PROGRAMS

##### Subtitle A—National School Lunch Program

- Sec. 301. Privacy protection.
- Sec. 302. Applicability of food safety program on entire school campus.
- Sec. 303. Fines for violating program requirements.
- Sec. 304. Independent review of applications.
- Sec. 305. Program evaluation.
- Sec. 306. Professional standards for school food service.
- Sec. 307. Indirect costs.
- Sec. 308. Ensuring safety of school meals.

##### Subtitle B—Summer Food Service Program

- Sec. 321. Summer food service program permanent operating agreements.
- Sec. 322. Summer food service program disqualification.

##### Subtitle C—Child and Adult Care Food Program

- Sec. 331. Renewal of application materials and permanent operating agreements.
- Sec. 332. State liability for payments to aggrieved child care institutions.
- Sec. 333. Transmission of income information by sponsored family or group day care homes.
- Sec. 334. Simplifying and enhancing administrative payments to sponsoring organizations.
- Sec. 335. Child and adult care food program audit funding.