

tax as a stable revenue source for state and local governments; and

Whereas, The following federal legislation has been introduced in the United States Congress to grant states the authority to require all sellers, regardless of nexus, to collect those states' sales and use taxes:

(1) The Main Street Fairness Act of 2011 (S. 1452 sponsored by Senators Richard Durbin, Daniel Akaka, Daniel Inouye, Tim Johnson, Jack Reed, and Sheldon Whitehouse; and H.R. 2701 sponsored by Representatives John Conyers, Jr., Michael Capuano, Jesse Jackson, Henry C. "Hank" Johnson, Jr., Heath Shuler, Adam Smith, and Peter Welch);

(2) The Marketplace Fairness Act of 2011 (S. 1832 sponsored by Senators Michael Enzi, Lamar Alexander, Roy Blunt, John Boozman, Bob Corker, Richard Durbin, Tim Johnson, Mark Pryor, Jack Reed, and Sheldon Whitehouse); and

(3) The Marketplace Equity Act of 2011 (H.R. 3179 sponsored by Steve Womack, Michael Capuano, Judy Chu, Eric A. "Rick" Crawford, Theodore E. Deutch, Mario Diaz-Balart, John J. Duncan Jr., Renee L. Ellmers, Gene Green, Carolyn B. Maloney, Betty McCollum, Brad Miller, Kristi L. Noem, Ted Poe, Dennis Ross, Heath Shuler, Jackie Speier, and Peter Welch); and

Whereas, It is estimated that Washington would realize up to \$170.3 million in state and local taxes in the 2011–2013 biennium, and \$483.0 million in state and local taxes in the 2013–2015 biennium, if it had the ability to require remote sellers to collect our state's sales and use taxes; and

Whereas, Since 1999, state legislators, governors, local elected officials, state tax administrators, and representatives of the private sector have worked to develop a Streamlined Sales and Use Tax Collection System for the 21st century; and

Whereas, On November 12, 2002, state delegates unanimously ratified the Streamlined Sales and Use Tax Agreement, which substantially simplifies state and local sales tax systems, removes the burdens to interstate commerce that were of concern to the Supreme Court, protects state sovereignty, and is consistent with the introduced federal legislation; and

Whereas, The Streamlined Sales and Use Tax Agreement provides the states with a blueprint to create a simplified and more uniform sales and use tax collection system that when implemented, allows justification for Congress to overturn the *Bellas Hess* and *Quill* decisions; and

Whereas, Washington State enacted legislation in 2007 to bring this state's sales and use tax statutes into compliance with the Streamlined Sales and Use Tax Agreement; and

Whereas, By November 30, 2011, 24 states: Arkansas, Georgia, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, Nevada, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia, Wisconsin, and Wyoming, representing over 40 percent of the total population of the United States enacted legislation to bring their state's sales and use tax statutes into compliance with the Agreement; and

Whereas, Over 1,700 businesses have voluntarily registered under the Streamlined Sales and Use Tax Agreement to collect and remit sales and use taxes; and

Whereas, The legislature of Washington and our colleagues in the other states have shown the resolve to acknowledge the complexities of the current sales and use tax collection system, have worked with the business community to formulate a truly simplified and streamlined collection system, and have shown the political will to enact

the necessary changes to make the streamlined collection system the law; and

Whereas, Until Congress and the President enact federal legislation, participation by remote sellers is only voluntary and thus states are unlikely to close the revenue gap between what is owed on remote transactions and what is collected; and

Whereas, Governors and state legislatures have made the difficult choices to reduce spending and where necessary to raise revenue during the recent "great" recession to close the \$417 billion cumulative budget gaps; and

Whereas, After closing \$417 billion in budget gaps for fiscal years 2009–2011, the estimated budget shortfall for states in fiscal year 2012 will be \$82 billion and for fiscal year 2013 will be \$67 billion; and

Whereas, Federal legislation would provide fiscal relief for the states by enabling collections of taxes that are already due;

Now, therefore, Your Memorialists respectfully pray that: The members of our congressional delegation join as cosponsors of the introduced federal legislation and support the Act's swift adoption by the Congress of the United States; and that President Barack Obama sign the legislation, upon its passage by Congress. Be it

*Resolved*, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1408. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information.

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 1813. A bill to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 2070. A bill to promote the domestic development and deployment of natural gas and clean energy technologies; to the Committee on Finance.

By Mr. WICKER (for himself and Mr. PRYOR):

S. 2071. A bill to grant the Secretary of the Interior permanent authority to authorize States to issue electronic duck stamps, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FRANKEN (for himself and Mr. BLUMENTHAL):

S. 2072. A bill to discourage disincentives to the housing missions of government sponsored enterprises and require consistent putback risks at the enterprises to assist homeowners; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 2073. A bill to prohibit the permanent relocation of F-16 aircraft assigned to Eielson Air Force Base; to the Committee on Armed Services.

By Mr. CARDIN (for himself and Ms. SNOWE):

S. 2074. A bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself, Mr. RUBIO, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. LEVIN, Mr. LAUTENBERG, Ms. LANDRIEU, Mr. AKAKA, Mr. CARDIN, Mr. CORKER, Mrs. FEINSTEIN, Mr. DURBIN, Mr. LUGAR, and Mr. NELSON of Nebraska):

S. Res. 368. A resolution recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 165

At the request of Mr. VITTER, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 165, a bill to amend the Public Health Services Act to prohibit certain abortion-related discrimination in governmental activities.

S. 402

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 402, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War, and for other purposes.

S. 412

At the request of Mr. LEVIN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 807

At the request of Mr. ENZI, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 973

At the request of Mr. WHITEHOUSE, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 973, a bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States

ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1099

At the request of Mr. BLUNT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1099, a bill to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system.

S. 1265

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1265, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 1316

At the request of Mr. ENZI, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S. 1316, a bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending.

S. 1335

At the request of Mr. INHOFE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1335, a bill to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

S. 1629

At the request of Mrs. GILLIBRAND, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1629, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1881

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1881, a bill to establish an integrated Federal program to respond to ongoing and expected impacts of climate variability and change by protecting, restoring, and con-

serving the natural resources of the United States and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities.

S. 1882

At the request of Mr. BINGAMAN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1882, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that valid generic drugs may enter the market.

S. 1925

At the request of Mr. LEAHY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1925, a bill to reauthorize the Violence Against Women Act of 1994.

S. 1947

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1947, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 1984

At the request of Mr. KERRY, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1984, a bill to establish a commission to develop a national strategy and recommendations for reducing fatalities resulting from child abuse and neglect.

S. 2043

At the request of Mr. RUBIO, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2043, a bill to amend title XXVII of the Public Health Service Act to provide religious conscience protections for individuals and organizations.

S. 2059

At the request of Mr. WHITEHOUSE, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 2059, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S.J. RES. 21

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S.J. Res. 21, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. RES. 99

At the request of Mr. DEMINT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 99, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and chil-

dren is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AMENDMENT NO. 1470

At the request of Mr. REID, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of amendment No. 1470 proposed to S. 2038, an original bill to prohibit Members of Congress and employees of Congress from using nonpublic information derived from their official positions for personal benefit, and for other purposes.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 368—RECOGNIZING THE ANNIVERSARY OF THE TRAGIC EARTHQUAKE IN HAITI ON JANUARY 12, 2010, HONORING THOSE WHO LOST THEIR LIVES IN THAT EARTHQUAKE, AND EXPRESSING CONTINUED SOLIDARITY WITH THE PEOPLE OF HAITI

Mr. NELSON of Florida (for himself, Mr. RUBIO, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. LEVIN, Mr. LAUTENBERG, Ms. LANDRIEU, Mr. AKAKA, Mr. CARDIN, Mr. CORCKER, Mrs. FEINSTEIN, Mr. DURBIN, Mr. LUGAR, and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 368

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti;

Whereas, according to the United States Geological Survey, the epicenter of the earthquake was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti;

Whereas, according to the Government of Haiti, more than 220,000 people died as a result of the earthquake, and more than 300,000 people were injured;

Whereas, according to the United Nations and the International Organization for Migration an estimated 3,000,000 people, or nearly 1/3 of the population of Haiti were directly affected by the disaster, and an estimated 1,500,000 people were displaced from their homes;

Whereas a Post Disaster Needs Assessment conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts, estimated that damage and economic losses totaled \$7,800,000,000, which amounted to approximately 120 percent of the gross domestic product of Haiti in 2009;

Whereas the response of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas individuals, businesses, and philanthropic organizations throughout the United States and the international community responded to the crisis by supporting Haiti and its people through innovative