

But the other problem is internal. It is not from foreign competitors, it is, frankly, from the Government and it is the Tax Code and how the Tax Code works within the industry. If I can give one example, last week there was an announcement in Mountain Pine, AR. Now Mountain Pine only has about 772 people who live in the community, but there is a mill there that makes plywood. That mill just announced it is closing.

Senator LINCOLN mentioned this a few moments ago. That mill has 340 jobs. That one employer in that town of 772 hires 340 people and employs them. It is closed. It is gone. Certainly, I hope at some point in the future the community can rally and find another use for that facility. Maybe they can get someone else in the wood products industry in. Who knows. But that is a symptom of what is going on because the owner of that facility is on the wrong side of the Tax Code.

We talked about the timber tax. We have a fix that we proposed. Senator LINCOLN and many others worked very hard to try to get this done. But because they are on the wrong side of the Tax Code, they are having to close plants. Frankly, it is causing a huge strain on their bottom line.

One of the things I need to do when I am on that subject is to thank Senators DOLE, HUTCHISON, and CORNYN, who have been very helpful in cosponsoring a bill that we think will help solve this problem.

Price Waterhouse Coopers & Lybrand, in April of 2005, wrote a report, and they found that the U.S. corporate forestry tax burden is the second highest compared to seven major competitor nations. Analysis showed that the tax burden of the U.S. forestry industry is a full 16 percentage points higher than the median of their competitor nations. We understand that in this country we have more responsible foresting, we understand we have stricter environmental regulations, and we also understand that our tax burden may be a little bit higher here and there. But the unfortunate thing going on here is it is disproportional within the industry depending on how the company is organized.

Here is what I mean. If a company is a C corporation, it is taxed one way. If it is a REIT, it is taxed another way. That means the folks that are REITs have a big tax advantage over the traditional companies. This has a disproportionately difficult effect on small companies, the family-owned businesses in places such as Arkansas and Louisiana and the State of Washington and in other places where you have a lot of family-owned timber businesses, because they don't have the resources to recalibrate themselves in the form of REITs. It doesn't make sense for their business.

What has happened, given our Tax Code, is basically the Federal Government says: Look, if you want to stay in the business, you have to organize

yourself in a certain way. That is not fair.

What is happening all around this country is that these timber companies are making business decisions based on the Tax Code. We have seen this happen. We know businesses are going to adapt to the conditions they have, and one of those conditions is the Tax Code. They are always going to adjust and adapt according to that. But when they start to make decisions such as this which are so dramatic and alter their business models so much, bad things are going to happen eventually.

If you look at the real estate bubble which burst back in the 1980s, a lot of those deals in the early 1980s which were done in the real estate market were done for tax reasons. They did not make any sense in the business world, but they made a heck of a lot of sense under the Tax Code. Finally, when the Congress got around to closing some of those loopholes and simplifying the Tax Code, the bubble burst.

My concern with the forestry industry is that someday when we reconcile these problems, it is going to be too late for a lot of these companies, especially the small family-owned businesses.

This is not strictly an Arkansas problem. The latest employment figures I have from my State are that the industry employs about 43,000 people, with an annual payroll of \$1.3 billion. That is a lot of money. That is a big part of our State's economy. However, if you look around the country, they employ about 2 million workers, with an annual payroll of \$51 billion. This is not just a local problem in the State of Arkansas. Both Senators from Arkansas are here talking about it, but it is a problem for the whole country and the Nation's economy.

I ask my colleagues to support a better timber tax policy. We want a tax policy that is fair, that restores competitiveness, that provides job security for hundreds of communities and families, that benefits the environment, and which is really the best thing for the country as well as for the industry.

JOHNNIE BRYAN HUNT, "J.B."

Mr. PRYOR. Mr. President, Johnnie Bryan Hunt died a couple of days ago in Arkansas. I just spoke with his wife a few moments ago. As always, she was delightful, and she was very upbeat and very positive and really appreciated all the prayers and all the well-wishes she has received from Arkansas and from around the country over the last couple of days.

Yesterday, we lost a great American and a great Arkansan and a great example to us all. Johnnie Bryan Hunt was born in Cleburne County, AK, in 1927 during the Great Depression. He left school at the age of 12 and went to work for his uncle in the sawmill. We were just talking about the timber industry in our State. He went to work for his uncle in the sawmill just to help

the family get by, as many Americans did back in those days.

He served in the U.S. Army.

During his early career, he was a farmer, he was a lumber salesman, he was an auctioneer, and a truckdriver. Then he invented his own business. It was called a rice hull business. He got the rice hulls over in the eastern part of the State and trucked them over to the western part of the State to make "poultry bedding," as he called it, out of the rice hulls. That venture did not work out exactly the way he wanted it to.

His first trucking company, which he formed as part of that and shortly thereafter, failed. He lost about \$19,000 in that first venture. But like many Americans, J.B. Hunt didn't quit. He went back to the drawing board. He kept working. He knew he had the ability. He knew he had the gift of problem-solving.

A few years later, he founded the trucking company which today is the largest publicly held truckload transportation company in North America, J.B. Hunt Trucking. Even though he started with 5 trucks and 7 trailers, today he has over 16,000 employees, 11,000 trucks, and 47,000 trailers and containers. He did this with hard work, he did this with a lot of dedication and with a lot of focus.

But one thing they say about J.B. Hunt the man and the company he founded is they are smart. They use technology, they are very innovative, and they work very hard to get on the cutting edge of that industry. In fact, J.B. Hunt is really a poster child for the American success story. We know that through hard work and opportunity, things can happen for you in this country. And he is proof that can happen in a very big way.

During the course of his life, he was director of the American Trucking Association, the American Studies Institute Advisory Board, the Intermodal Transportation Institute, which he was innovative in, the University of Arkansas Campaign for the 21st Century, and the Northwest Arkansas Business Council. In addition to those boards and those industry groups on which he served, he also was extremely giving with his resources. Two of his favorite charities are the Arkansas Easter Seals and the March of Dimes.

I know he will be sorely missed in his hometown of Lowell.

People always associated Arkansas with J.B. Hunt the man and the trucking company because he really did put it on the map. He came to northwest Arkansas and ended up in northwest Arkansas before this period of exceptional growth started there. These two counties up in the northern corner of our State are two of the fastest growing counties in America. The companies that are there are companies such as Wal-Mart, Tyson Foods, J.B. Hunt, and, of course, the University of Arkansas is in that corner of the State as well.

People ask me: Is there something in the water up there? What is it about this little area of your State? Is it the great quality of life? It is the great work ethic? Yes and yes. More than anything, it is about great leadership, and J.B. Hunt was part of that great leadership. He was on the team of men and women who moved their communities forward and in many ways not only changed those communities but changed the State and changed the world.

I join Arkansans and Americans in offering my condolences and prayers to J.B. Hunt's family and his friends, including his wife Johnelle and their children Jane and Bryan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, while both of my distinguished colleagues from Arkansas are on the Senate floor, let me tell them how much I appreciate their leadership in dealing with this last item of business relative to this Congress and which is particularly important in my home State of Texas, as it is in other timber-growing regions of the United States.

As we find ourselves in global competition for jobs and work, there are certain things we need to keep our eyes on to help make America more competitive and to make sure we continue to create the jobs and opportunities which have always been the key to our prosperity. Of course, the present occupant of the chair knows that having a qualified workforce is one of the key elements of our ability to compete in a global economy, as is our tax policy and our health care system, which is a factor in the ability of American businesses to be competitive, our regulatory environment, and our civil justice or litigation system.

I wish to focus specifically on our tax policy. The fact is that in many industries our tax policy in this country makes certain aspects of our economy less than competitive. Certainly that is true when it applies to the timber tax issue.

The timber tax provision I am speaking about would lower the capital gains tax for owners of timberland, both individuals and corporate owners, but mainly it is small business community members and farmers. The great thing about this is we are not talking about a tax increase on anybody; we are talking about reducing the tax on this element of our economy, of our workforce, mainly small business owners and farmers, to help make them more competitive in a global economy.

It was my sincere hope that this provision would be included with the so-called tax extenders package that I hope is ultimately passed by the Senate today or tomorrow, but, as the Senators from Arkansas have already pointed out, I know we are all disappointed that it has not been included. I think that is a shame. My hope is that, having left this work un-

done, Congress, when we return in January, will take up this issue again and attempt to pass it.

The U.S. forestry industry and its workers are at the heart of a vibrant economy that has produced the highest living standards in the world. As the jobs report released just today indicates, job creation continues apace across this big economy here at home. But there are sectors of the economy that are struggling because of the disadvantages they have, particularly with regard to our tax policy. The forest products industry and its workers, including those in Texas and across America, are facing significant challenges which, if not overcome, will lead to reduced economic growth, lost jobs, and ultimately the decline of living standards for future generations.

Although job growth continues here at home, as we saw by today's report, it is important to highlight that American paper mills and wood product mills are permanently closing their doors, resulting in a loss of those good-paying jobs. At the same time, our foreign competitors, facing generally lower taxes, are expanding their capacity.

As has already been pointed out by the senior Senator from Arkansas, the Price Waterhouse Coopers & Lybrand report in April of 2005 examined the effect of the U.S. tax system and found that our tax rules consistently disadvantage U.S. companies and workers relative to the tax rules in most nations with which we have to compete. By reducing the cost disadvantage faced by practicing sustainable forestry here in United States, this proposal can help reverse the trend of decreasing U.S. competitiveness in the forest products industry and maintain those manufacturing jobs of U.S. workers.

Simply put, this proposal is about creating more good-paying jobs here at home, not by conferring any additional benefits on our American employers and job creators but by reducing the impediments and the obstacles that Government puts in the way to job creation and competition in the global economy.

I wish to especially express my appreciation to Senator LINCOLN, the senior Senator from Arkansas, for her strong advocacy for this issue. I look forward to working with her in our next Congress to try to do everything we can to remedy this wrong and to help make America and particularly the forest products industry more competitive in a global economy.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CORNYN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. ALEXANDER. Mr. President, the Senator from Illinois had the next 15 minutes. I don't see him. I was to follow him, but to conserve time I will go ahead and take my 15 minutes now and then ask unanimous consent he be allowed to follow me when he arrives.

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

NATIONAL COMPETITIVE INVESTMENT ACT

Mr. ALEXANDER. Mr. President, I salute the Senators from Arkansas and Texas on their comments about the timber tax. That is not my subject today, although I intend to talk about competitiveness, jobs, but this is something we do need to pay attention to, not just for the jobs but for conservation in our country. That was mentioned eloquently by Senator LINCOLN.

I was in Waverly, TN, in Humphreys County the other day, and people are very upset because the timber company—I guess partly because of the Tax Code—has sold thousands of acres to an organization that doesn't care anything about the forest. That organization is cutting all the trees and going about their way. The people in that county, for a long time, have enjoyed having that forest properly managed—not just the jobs; they like the jobs, as well, but they like the trees.

What we may be doing in an unanticipated way is having a tremendous negative impact upon the beauty and the forests of the United States by our tax policy even though we don't intend to do that. I am glad the Senators from Texas and Arkansas and others are interested in this issue. I would like to work with them in the new Congress to try to be of some help.

I am here today to suggest, especially to my colleagues on the other side of the aisle who will be in the majority starting next month, that we, all of us together, have a remarkable opportunity to start the new year with a truly bipartisan piece of legislation critical to the future of the United States.

Our new majority leader, who will be Senator REID, has said he would like to foster a more bipartisan atmosphere as the Senate begins its work next year. So would I. So would most Members. The best bipartisan bill I know that is ready for action in the Senate is the bill that Senator REID and Senator FRIST are cosponsors of, the National Competitiveness Investment Act.

At the end of September, our two leaders, Senator FRIST and Senator REID, the Republican and Democratic leaders, introduced this bipartisan competitiveness bill. It has the support of the chairmen and the ranking members of the Energy, Commerce, and HELP Committees and, in fact, was created by those three committees. It wasn't written by the Republicans and handed to the Democrats for approval. We wrote it together. We have worked on it for 18 months. The product is here