

windows for enemies to enter to sabotage our military equipment to steal our military secrets.

I applaud those of my colleagues who have been working with the Department of Defense to ensure that it does everything it can to keep counterfeits out of its supply chain. And I am pleased the administration, and particularly the intellectual property enforcement coordinator, Victoria Espinel, is taking on this issue.

But I also believe that Congress needs to give the executive branch more tools to address these problems. As a former U.S. attorney, I know the significant deterrent effect criminal sanctions can provide. To that end, the Department of Justice has a vital role to play in using criminal investigations and prosecutions to identify and deter trafficking in counterfeit military goods.

Current law is insufficient. The existing counterfeit trafficking statute, 18 U.S.C. § 2320, provides for heightened penalties for trafficking in counterfeits that result in bodily injury or death. But unlike cases of counterfeit pharmaceuticals, it may not be possible to prove that a military counterfeit caused bodily injuries or death, since the faulty part may never be recovered from a battlefield. As a result, traffickers in military counterfeits are likely to face penalties that do not reflect the unacceptable risk that counterfeits impose on our troops, our military readiness, and our national and cyber security.

We must address this flaw in our laws and we must do so soon. Traffickers should face stiff penalties if they knowingly sell the military a piece of counterfeit body armor that could fail in combat, a counterfeit missile control system that could short-circuit at launch, or a counterfeit GPS that could fail on the battlefield.

The Combating Military Counterfeits Act of 2010 will make sure that such reprehensible criminals face appropriate criminal sanctions. It creates an enhanced offense for an individual who traffics in counterfeits and knows that the counterfeit product either is intended for military use or is identified as meeting military standards. It doubles the statutory maximum penalty for such offenses. The bill also directs the Sentencing Commission to update the Sentencing Guidelines as appropriate to reflect Congress's intent that trafficking in counterfeit military items be punished sufficiently to deter this reckless endangerment of our servicemembers and weakening of our national security.

The bill is narrowly crafted. It adds to an existing offense so that it only targets particularly malicious offenders—those who already are guilty of trafficking in counterfeit goods and know that the goods in question are intended for military use. As a result, this bill will not affect legitimate military contractors who might be unaware that a counterfeit chip has made

its way into one of their products. Nor will it apply to makers of products that unintentionally fall short of military specifications as a result of innocent mistakes. Indeed, this bill will help military suppliers by deterring criminals from selling counterfeits to them or to their subcontractors. Manufacturers will benefit from the protection of their intellectual property.

To that end, I have received a letter of support from the U.S. Chamber of Commerce which explains that “[t]his legislation would . . . provide an important deterrent to those seeking to profit from the sale of counterfeit parts to the military.” The Semiconductor Industry Association has similarly weighed in with their support, explaining the irresponsible manner in which counterfeit chips are made and the harm that counterfeit chips, most of which are imported into the United States, can cause to the military and to their industry. I am grateful for their early support and I welcome the comments of other stakeholders as I work to make the legislation as effective as possible in its deterrence of this shameful criminal activity.

I of course also very much look forward to working with my colleagues on what I expect to be bipartisan legislation that we can act on promptly. We all have had the privilege of visiting with our troops. We all know the sacrifices they make for our country. We all want to do everything we can to ensure that their equipment functions properly and that counterfeits do not compromise our nation's military readiness or security. By deterring trafficking in counterfeit military goods, the Combating Military Counterfeits Act of 2010 is a vital and necessary step towards these important goals.

HONORING OUR ARMED FORCES

SPECIALIST DYLAN T. REID

Mr. BENNET. Mr. President, it is with a heavy heart that I rise today to honor the life and heroic service of SPC Dylan T. Reid. Specialist Reid, who was assigned to the 1st Battalion, 8th Infantry Regiment, 4th Infantry Division, in Fort Carson, CO, died on October 16, 2010. Specialist Reid was serving in support of Operation New Dawn in Amarah, Iraq. He was 24 years old.

A native of Missouri, Specialist Reid graduated from Desert Technology High School in Lake Havasu City, AZ, in 2005 and entered the Army in September 2008. He joined his current unit in April of last year and deployed to Iraq this past March. He was serving his first tour of duty, and quickly showed his commitment and skill.

During more than 2 years of service, Specialist Reid distinguished himself through his courage, dedication to duty, and willingness to take on any job. He was given numerous awards and medals, including the Army Commendation Medal, the Army Good Conduct Medal, the National Defense Service Medal, the Iraq Campaign Medal

with Campaign Star, the Global War on Terrorism Service Medal, the Army Service Ribbon, and the Overseas Service Ribbon.

Specialist Reid worked on the front lines of battle, serving in the most dangerous areas of Iraq. He is remembered by those who knew him as a consummate professional with an unending commitment to excellence. Friends and loved ones remember how proud Specialist Reid was of his new daughter, Avery. They also remember his love for fixing things and working on cars.

Mark Twain once said, “The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time.” Specialist Reid's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

At substantial personal risk, he braved the chaos of combat zones throughout Iraq. And though his fate on the battlefield was uncertain, he pushed forward, protecting America's citizens, her safety, and the freedoms we hold dear. For his service and the lives he touched, Specialist Reid will forever be remembered as one of our country's bravest.

To Specialist Reid's parents, his wife, his daughter, and his entire family I cannot imagine the sorrow you must be feeling. I hope that, in time, the pain of your loss will be eased by your pride in Dylan's service and by your knowledge that his country will never forget him. We are humbled by his service and his sacrifice.

ADDITIONAL STATEMENTS

EASTON, MARYLAND

● Mr. CARDIN. Mr. President, today I ask my colleagues to join me in congratulating the Eastern Shore town of Easton, MD, which is concluding its 300th anniversary celebration.

In 1710, the Assembly of the Province of Maryland chose Easton as the site for a new court house to serve the pre-Revolution population of sea merchants and farmers. Easton was incorporated as a town in Talbot County, MD, in 1790 and serves as the county seat.

Easton is located on the shore of the Tred Avon River that flows into the Chesapeake Bay. It was a bustling port for Eastern Shore agricultural products and seafood for much of its first 200 years. Many of the farms on the Eastern Shore of Maryland had slaves, and it was in Talbot County where Frederick Douglass, the abolitionist, was raised. Because of his national leadership in the abolitionist movement, a statue of Mr. Douglass will soon be erected on the court house lawn in Easton.

Easton remains a cultural and community center for merchants, lawyers, bankers, trades people, farmers, and watermen. Weekend visitors, sailors