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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 20, 2011.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

HONORING THE LIFE OF FORMER SENATOR CHARLES H. PERCY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

Mr. DREIER. Mr. Speaker, it was with great sadness that we received the news this past weekend of the passing of one of my long-time family friends and one of the most dedicated public servants I've ever had the privilege of knowing or serving with. I'm referring, of course, to Senator Charles Percy, who passed away on Saturday morning at the age of 91.

Senator Percy was someone whom I first met when I was a kid at summer camp in Colorado. Tragically, his daughter Valerie had been murdered. And, of course, her twin is Sharon Percy Rockefeller, who serves with great distinction as the head of the WETA board and who has many other civic duties here in Washington, DC.

I met Senator Percy when we were at Valerie Lodge, which was named for his daughter, the camp in California; and at that moment, Mr. Speaker, I saw someone who was clearly very dedicated and extraordinarily principled. His entire life was dedicated to public service and to doing everything he possibly could to ensure that life was better for all around him.

I came to Congress a little more than a decade after I'd met him when I was at summer camp. He immediately took me under his wing, and he made the pilgrimage from the Senate here to the House of Representatives, and visited me in my office several times. I took my first trip with him to Mexico, and it was the U.S.-Mexico Interparliamentary Conference. I remember very vividly nearly three decades ago—well, actually, three decades ago—what it is that he said, Mr. Speaker.

He talked about the challenge and the relationship between the United States and Mexico, and he characterized his remarks as it related to his twin daughters, Sharon and Valerie. In that speech, he said, So many people talk about twins and the similarities. He said, For me, the greatness is to look at the differences between the two.

He carried that personal message as he referred to the challenging relationship between the United States of America and Mexico, and I was struck by that. He was chairman of the Senate Foreign Relations Committee, and I was privileged to serve two terms here in the House while he served in the Senate.

So I want to say to his wonderful wife, Loraine, and to all of the other children and relatives and friends of Senator Charles Percy that he lived an amazing life. It was one that was an inspiration to me, and I will greatly miss him.

MOURNING THE LOSS OF IMOGENE JOHNSON

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. BOREN) for 5 minutes.

Mr. BOREN. Mr. Speaker, I rise today to mourn the loss of Imogene Johnson of Okemah, Oklahoma, who passed away on September 14, 2011, at the age of 90.

Imi, as we all knew her, was a very close friend of the Boren family, and I can remember seeing her face at some of my earliest campaign events. She was always there.

She was the wife of Oklahoma Fourth District Congressman Glen D. Johnson, Sr., and the mother to Glen D. Johnson, Jr., the former speaker of the Oklahoma House of Representatives and now our current Chancellor for Higher Education. She supported both her husband and her son faithfully, and I know her son especially will miss her.

Imi was a civic leader and a dedicated public servant. She was a member of the Okemah Chamber of Commerce, an active member and past president of the American Legion Auxiliary, and a member of the PEO. In 1999, the city of Okemah honored her by inducting her into the Okemah Hall of Fame for her dedication to her hometown.

Again, Imi was truly an inspiration to her beloved Oklahoma, and I am honored to have called her a friend. I know she has her son and other family scattered across the State of Oklahoma, particularly in Okemah. She has touched them and many, many other Oklahomans. Again, we will greatly miss her.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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THE DEATH OF U.S. SENATOR CHARLES H. PERCY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT) for 5 minutes.

Mrs. BIGGERT. Mr. Speaker, I rise today to pay tribute to a man who served Illinois, our country, and people from other nations around the world for decades before his death this weekend at age 91. That man is Senator Charles H. Percy of Illinois.

Already, his life, legend, and list of accomplishments as a Senator, a statesman, and a larger-than-life political figure are well documented. Others have articulated these things far better than I could today, and I am confident that history will record them well.

But, Mr. Speaker, what I wish to convey today are the warm and wonderful stories and the testimonies about Chuck Percy that have only come to me from those who knew him and loved him and from those whose views and sentiments I hold in the highest regard. Their stories are not always well suited for publication or for statements on the House or Senate floor; but they are funny, warm, endearing, and genuine. They reflect the incredible love of life, humanity, and humor that made working for or with Senator Percy so incomparable. These volunteers, former Members, and political leaders cannot address the House about him today; but I can, and it is my honor to do so.

They are some of the finest leaders of Illinois today, like State Comptroller Judy Baar Topinka, who launched her first campaign for office years ago after serving as a Percy campaign coordinator. They are State Treasurer Dan Rutherford and U.S. Senator MARK KIRK, who served on the Youth for Percy brigade. They are former Congresswoman and U.S. Labor Secretary Lynn Martin, whose very first campaign as a volunteer was to help elect Chuck Percy. Then you've just heard from Representative DAVE DREIER on his reflections of his being with Chuck Percy.

If you talk to them, they will say that his enthusiasm and commitment to making a better State, country, and world are what motivated them to answer the call and launch their own political careers. His energy and enthusiasm, his openness to differing views, and his passion for improvement were infectious. They will tell you of a dark moment of loss or sadness or disappointment in their lives when he was there for them with a loving phone call or note. He was, in a word, an inspiration to all of them.

They are former Illinois Governors Jim Thompson and Jim Edgar, whose natural talents thrived under Chuck Percy's guidance and inspiration. He saw in them the makings of outstanding leaders, and they succeeded in their own rights. He never looked over his shoulder, worrying about those who might challenge his own leadership. He embraced them, encouraged them, and made their success his success. Unlike others in politics today, his generosity to others was boundless and without the slightest hint of envy or competitiveness. With Chuck Percy, there was no zero sum; there were only pluses for everyone.

They also are the other leaders outside of Illinois, like the former HUD Secretary and USTR, Ambassador Carla Hills, who first headed Percy's Alliance to Save Energy in the 1970s when it became clear to Percy that our reliance on foreign oil was unsustainable.

□ 1210

They are former Senator Fred Thompson, in whom Percy saw a brilliant prosecutor and future star of the Senate. They are those who went on to become leaders in their own countries, like the late Prime Minister of India, Rajiv Gandhi and President of Lebanon Rafic Hariri, both of whom strove for peace and tragically were cut down by assassination.

They are Federal district and appellate judges and a Supreme Court Justice, whose service to our country might never have been possible were it not for the fact that Chuck Percy believed in them and believed that the cronyism and corruption in judicial selection must end. He saw in them a commitment to the law, the Constitution, and justice, and with them helped to transform the Illinois bar from one of the most corrupt in the country to one of the most respected.

Last but not least, there are thousands of staff members and volunteers whose lives were forever changed and guided by this dear man whom they referred to simply as ''CHP'' or ''The Senator.'' They are a formidable network of outstanding individuals who are as devoted to him as they are to each other and to public service. Each of them has gone on to do good things because of the confidence that he inspired in them and his belief that everything is possible if only you want to work hard enough for it.

They are my constituents and volunteers. They are my chief of staff, Kathy Lydon, and chief of volunteers, Carolyn Stillman, and many others and all the outstanding people that I have met through their fellowship. They are hundreds of Illinois and Washington businessmen, lawyers, teachers, homemakers, and, yes, even reporters whose lives were forever changed by this very special man.

To a one, they will say, ''There is no one, no one quite like Chuck Percy.''

So today, Mr. Speaker, I want to say to them and to the Percy family, Loraine, Sharon, and Senator JAY ROCKEFELLER, Roger and Penny, Gail and Wade, Mark and Leslee, and all of their wonderful children, grandchildren, and families, our thoughts and prayers are with you. We thank you for sharing this wonderful man with us, with the people of Illinois, America, and the world.

HONORING CASSANDRA LLOYD WARD

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise this morning to pay tribute to some great Americans. I want to join my colleague from Illinois (Mrs. BIGGERT) in recognizing the extraordinary life and work of Senator Charles Percy. He will certainly be missed. Also, I want to extend condolences to the Mondale and Kennedy families, who also lost a daughter this weekend at the young age of 51.

But, Mr. Speaker, I have come to the well today to pay tribute to another great American, to a friend in North Carolina who has lost a long but courageous battle to breast cancer at the age of 51. Mrs. Cassandra Lloyd Ward was the daughter of Johnnie and Mary Lloyd of Williamston, North Carolina. She was also the wife of Mr. Everett B. Ward. For 29 long years, they were married. Everett is a well-respected public servant in North Carolina with our State Department of Transportation.

Cassandra was a career educator in Wake County, North Carolina. Many of you will recognize that as our capital city of Raleigh. She worked for many years in the Wake County Public Schools. The epitome of educational excellence, Cassandra touched the lives of countless individuals who have now become productive citizens in our communities across America.

Cassandra was employed by the Wake County Public School System beginning with Youngsville Elementary, Henry Adams Elementary, Dillard Drive Elementary, and, finally, Forest Pines Elementary School. She was a lifelong member of the North Carolina Association of Educators.

Cassandra Ward, Mr. Speaker, was a graduate of Williamston High School in Martin County, North Carolina, also a graduate of historic St. Augustine's College in our capital city of Raleigh, which is an HBCU, a historically black college there in the Raleigh community.

As a member of Davie Street Presbyterian Church in Raleigh, Cassandra was a church leader, not only a member of the Presbyterian Church, but she was also a deacon in the church. She advocated that the church serve the least of these in our society. She was a member of a great sorority, the Alpha Kappa Alpha Sorority, Incorporated. In that capacity, as a member of the Alpha Theta Omega Chapter, she served and chaired many committees, particularly the Black Family/Black Heritage; Health, Social and Sisterly Relations; Salvation Army; and Christmas Stocking Stuffing committees. Those were a lot of committees.

And, Mr. Speaker, she was a very active individual. She also found time to be associated with the Gamma Sigma Boule of Sigma Pi Phi Fraternity. She

was what was referred to as an archousa. It took me a while, Mr. Speaker, to figure out how to pronounce that word, but she was an archousa of Gamma Sigma Boule of Sigma Pi Phi Fraternity.

Mr. Speaker, Cassandra Ward leaves a very, very loving family. In addition to her parents and her husband, she leaves three siblings, Johnnie Lloyd, Jr., Jarvis Lloyd, and one loving sister that she was extremely close to, Crystal Lloyd Williams, and her sister-in-law, Felecia Hardy, and her husband, Dr. James Hardy.

She is also survived by other relatives and friends, and especially her very special nieces and nephews: Johnnie Lloyd, III; Alecia Hardy, Jarvis Lloyd and Eboni, Jamie Hardy, Jamecia Hardy, Mary Noel Williams, and Gabrielle Williams. They all comprise the wonderful family of Cassandra Lloyd Ward.

I ask my colleagues today to join with me in honoring the life and work of this great American, Cassandra Lloyd Ward.

DON'T ASK DON'T TELL REPEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. FRANK) for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, today is a very important day in our fight to achieve full equality for all Americans in the face of prejudices of various sorts. To commemorate, I want to read a very extraordinary document. It is headlined, ''Don't Ask Don't Tell Repeal.'' It's an official communication.

''Today marks the end of 'Don't Ask Don't Tell.' The law is repealed. From this day forward, gay and lesbian soldiers may serve in our Army with the dignity and respect they deserve. Our rules, regulations, and policies reflect the repeal guidance issued by the Department of Defense and will apply uniformly without regard to sexual orientation, which is a personal and private matter.

''For over 236 years, the U.S. Army has been an extraordinary force for good in the world. Our soldiers are the most agile, adaptable, and capable warriors in history—and we are ready for this change.

''Over the last several months, our leaders, soldiers and Department of the Army civilians have discussed, trained, and prepared for this day. The President, the Secretary of Defense, and the Chairman of the Joint Chiefs have certified that repeal is consistent with military readiness, effectiveness, unit cohesion, and recruiting and retention. Your professionalism, leadership, and respect for your fellow soldiers will ensure that this effort is successful.

''At the heart of our success is adherence to the Army values. These standards not only infuse every facet of our culture and operations, but also guide us as we adapt to change. Loyalty, duty, respect, selfless service, honor, integrity, and personal courage are not mere words to us—they are the very principles by which we live, train, and fight.

''Accordingly, we expect all personnel to follow our values by implementing the repeal fully, fairly, and in accordance with policy guidance. It is the duty of all personnel to treat each other with dignity and respect, while maintaining good order and discipline throughout our ranks. Doing so will help the U.S. Army remain the strength of the Nation.''

It is signed by Raymond F. Chandler, III, the Sergeant Major of the Army; Raymond T. Odierno, General, United States Army Chief of Staff; and John M. McHugh, Secretary of the Army and, parenthetically, our former colleague on the Republican side.

□ 1220

Mr. Speaker, we have a history in this country of prejudice being enacted; and through the efforts of many people, the policy embodying that prejudice can be overcome. And as we debate any single effort to overcome prejudice, we are told that the effect of diminishing that prejudice, the effect of repealing that rule will be chaos, will be disorder, will be social unrest; and it is never true.

Seven years ago, the State I am privileged to represent in this House established same-sex marriage; and there were predictions of doom, predictions that this would be a terribly upsetting factor. None of those predictions have come true. Not a one. As we debated last year the repeal of the unfortunate statute which said that brave and patriotic gay and lesbian and bisexual and transgender members of the armed services would have to lie about who they were, would have to hide who they were or else lose the right to serve their country, a right which some evade but for which they were prepared to fight, we once again heard predictions that this would be disruptive, that it would cause diminution of the ability of our brave men and women to serve their purposes.

Let me predict today, Mr. Speaker, that every one of those prejudices 3 and 4 years from now will be proven as wrong as the predictions that same-sex marriage would be disorganizing. We will now see gay men and lesbians serving this country openly and proudly as they have been serving this country proudly, but unfortunately not openly, for some time. I hope people are making note of the predictions that were made on the floor of this House, in the Senate, and in the country about the negative consequences of ''don't ask don't tell,'' because they will soon be shown to have been wholly false.

Finally, I want to commend Sergeant Major Chandler, General Odierno, and Secretary McHugh. This is a very profound and important document. They are acting in the highest traditions of their constitutional duty, of patriotism, and of respect for our constitutional principles. I welcome this statement, and I believe it is going to be proven to be a harbinger of a situation in which the full integration of gay and lesbian and bisexual and transgender members of the military goes forward with no negative consequences, with all of the positive consequences that come from respecting people and abolishing prejudice.

REMEMBERING SENATOR CHARLES PERCY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DAVIS) for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise this morning to pay tribute to a great American who lived in the State of Illinois, who represented it and the country well, Senator Charles Percy.

I recall that when Senator Percy was elected, I was a young schoolteacher, community activist. I also was an individual who interacted with lots of people who were very cynical about government, politics, whether or not there was any potential for change. So we had an opportunity to see in action one of the most forceful individuals in public life, one that you didn't describe necessarily as a Democrat or a Republican. You didn't characterize him as a conservative or a liberal. You really thought of Senator Percy as simply a good, solid United States Senator who represented well not only his constituents, but who provided leadership for the Nation and for the country.

I think I learned at that time the meaning of town hall meetings because Senator Percy would hold those; and although he was a Republican by political stripe—and many of the people where I lived and interacted with were Democrats in terms of political stripe—we just would turn out at Senator Percy's town halls to know what was taking place, what was going on, what was happening. I personally owe a tremendous debt of gratitude to him for helping to shape my own political philosophy, some of my political ideology, some of the things that I dream about and hope for and work towards.

And so I extend condolences to his family, wish them well, and know that America is a better place because Chuck Percy served in the United States Senate and served all of America.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 25 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Dear Lord, we give You thanks for giving us another day.

It is the beginning of a new workweek, and facing these decisive times we use this moment to be assured of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

May they be led by Your spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems. May their faith in You deliver them from tensions that tear the House apart and from worries that might wear them out.

All this day and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RAISING TAXES DESTROYS JOBS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in August 2009, the President stated, ''You do not raise taxes in a recession.'' This week, the same President proposed $1.5 trillion in higher taxes as more than 14 million Americans are without jobs.

The President's tax increase proposal is based on the false belief that Big Government can spend the money of hardworking American families better than the people who have earned it.

Tax increases destroy jobs. You cannot create jobs by increasing taxes. The merit of an economic policy can be tested by the amount of jobs it creates. So far, this President's policy has failed. Zero new jobs were created in August.

By passing numerous bills that focus on getting Americans back to work, House Republicans have focused on job creation since January. It's time for this administration to change from failed policies.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. Our prayers are with Aiken and Barnwell, Assistant Solicitor Steve Kodman and Jennifer, and their sons, Patrick, Thomas, and Drew.

PRESIDENT OBAMA HAS DEFINED THE UNCERTAINTY THAT'S HURTING OUR ECONOMY

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, recently I had the opportunity to meet with a constituent of mine who also happens to be a minor celebrity. Rock Katschnig is the farmer who had the chance to ask President Obama last month about regulation and red tape coming from unelected and unaccountable bureaucracies, such as the EPA. The President's not-so-reassuring response: ''If you hear something's happening but hasn't yet, don't always assume it's true.'' What President Obama said defines the uncertainty that has crippled our small businesses, entrepreneurs, and job creators and hamstrung our economic recovery.

Businesses don't plan just for tomorrow; they plan for next week, next month, and next year. All red tape, even if it hasn't happened yet, affects a business's decisions about hiring, expansion, and investment. That's why businesses are desperate for regulatory certainty, a message I heard not only from Rock, the farmer, but from countless other small business owners across my district. They want to grow, but they won't if they don't know what Washington will do to them. And that's why we are advancing our fall agenda to deliver that regulatory certainty so that small business owners and enterprises can invest, grow, create jobs, and get our economy moving again.

OLD WEST STYLE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, at a border forum in Brownsville, Texas, yesterday, Special Ranger Roland Garcia for the Texas and Southwestern Cattle Raisers Association testified about the results of the porous and unsecure border and how it affects ranchers. He said the drug cartels are a fearsome enemy. ''They intimidate landholders and instill terror in them—then fear follows.''

The landholders are fearful to report cross-border activity because of the silent threat of reprisal and retaliation. The landholders feel that the government cannot protect them, their land, or their cattle. Texas ranchers fear that they may be targets of kidnappings for ransom. They have received death threats if they report illegal activity to law enforcement.

Ranger Garcia is concerned that landholders will start self-policing, in other words, organize and deal with the cartel intruders themselves—old west style. This testimony is yet more alarming evidence that the invasion of our borders by the cartels is a real national security threat to the people who live near our border.

And that's just the way it is.

MEDIA BIAS CHANGES ELECTION RESULTS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, liberal media bias gives Democratic candidates an extra 8 to 10 percentage points in a typical election, according to a study by UCLA political science professor Tim Groseclose. For example, Professor Groseclose found that if media bias didn't exist, JOHN MCCAIN would have defeated Barack Obama with 56 percent of the vote.

In his new book, ''Left Turn: How Liberal Media Bias Distorts the American Mind,'' Professor Groseclose writes, ''While the job of a journalist is to shine light on facts, they use a prism, bending the light and causing it to make a left turn. The end result is that we, the readers and viewers of the news, are more likely to see facts from the left side of the spectrum.''

As we approach another important election year, the national media should give Americans the facts, not tell them what to think.

□ 1410

RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Judiciary:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 15, 2011.

Hon. JOHN BOEHNER,
Speaker of the House, The Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: I am writing to inform you of my resignation, effective immediately, from the House Judiciary Committee. It is my intention that this is a leave of absence with retention of my seniority and I fully intend to serve on this Committee again in the next Congress. If you have any

questions, please feel free to contact me directly, or your staff can contact my Legislative Director, Coby Dolan.

Sincerely,

DEBBIE WASSERMAN SCHULTZ,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 20, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 20, 2011 at 11:18 a.m.:

That the Senate agreed to S. Res. 271.

Appointments:

Library of Congress Trust Fund Board.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

UNITED STATES PAROLE COMMISSION EXTENSION ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2944) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Parole Commission Extension Act of 2011''.

SEC. 2. AMENDMENT OF SENTENCING REFORM ACT OF 1984.

For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98–473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to ''24 years'' or ''24-year period'' shall be deemed a reference to ''27 years'' or ''27-year period'', respectively.

SEC. 3. PAROLE COMMISSION REPORT.

Not later than 180 days after the date of enactment of this Act, the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives the following:

(1) The number of offenders in each type of case over which the Commission has jurisdiction, including the number of Sexual or Violent Offender Registry offenders and Tier Levels offenders, for fiscal years 2006 through 2011.

(2) The number of hearings, record reviews and National Appeals Board considerations conducted by the Commission in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(3) The number of hearings conducted by the Commission by type of hearing in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(4) The number of record reviews conducted by the Commission by type of consideration in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(5) The number of warrants issued and executed compared to the number requested in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(6) The number of revocation determinations by the Commission in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(7) The distribution of initial offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(8) The distribution of subsequent offenses, including violent offenses, for offenders in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(9) The percentage of offenders paroled or re-paroled compared with the percentage of offenders continued to expiration of sentence (less any good time) in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(10) The percentage of cases (except probable cause hearings and hearings in which a continuance was ordered) in which the primary and secondary examiner disagreed on the appropriate disposition of the case (the amount of time to be served before release), the release conditions to be imposed, or the reasons for the decision in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(11) The percentage of decisions within, above, or below the Commission's decision guidelines for Federal initial hearings (28 C.F.R. 2.20) and Federal and D.C. Code revocation hearings (28 C.F.R. 2.21).

(12) The percentage of revocation and non-revocation hearings in which the offender is accompanied by a representative in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(13) The number of administrative appeals and the action of the National Appeals Board in relation to those appeals in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(14) The projected number of Federal offenders that will be under the Commission's jurisdiction as of October 31, 2014.

(15) An estimate of the date on which no Federal offenders will remain under the Commission's jurisdiction.

(16) The Commission's annual expenditures for offenders in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

(17) The annual expenditures of the Commission, including travel expenses and the annual salaries of the members and staff of the Commission, for fiscal years 2006 through 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2944 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, on October 31, the authorization for the United States Parole Commission will expire. H.R. 2944, the United States Parole Commission Extension Act of 2011, extends the Commission's authorization for an additional 3 years.

I thank Judiciary Committee Ranking Member JOHN CONYERS, Crime Subcommittee Chairman JIM SENSENBRENNER, and Ranking Member BOBBY SCOTT, who is here on the floor today, for joining me in sponsoring this legislation.

The Parole Commission is an independent agency within the Department of Justice that supervises Federal offenders who are eligible for parole.

In 1984, Congress abolished Federal parole and replaced it with a determinate sentencing system. Federal offenders who were sentenced prior to November 1, 1987, were grandfathered under the parole system. The Parole Commission has been kept in place since then on a temporary basis to continue supervision of these Federal offenders.

In an effort to lower local crime rates, the District of Columbia followed the Federal example and also abolished parole. Under the new D.C. system, the D.C. Superior Court imposes a term of incarceration and supervised release.

Congress subsequently expanded the jurisdiction of the Parole Commission to include both parole and supervised release offenders from the District of Columbia. The group of offenders the Parole Commission was originally intended to supervise, Federal offenders who are eligible for parole, is a finite number of offenders that is growing smaller every year.

Today, however, the majority of the Commission's workload concerns the District of Columbia offenders. Like the population of Federal offenders eligible for parole, the parole-eligible D.C. offender population is also declining over time, although at a slower rate than Federal offenders. However, because all incoming offenders are now sentenced under the new law, the D.C. supervised release offender population is increasing.

At some point in the future, no Federal offenders will remain under the Commission's jurisdiction. At that time, Congress should assess the need to continue a Federal Parole Commission within the Justice Department.

In addition to extending the Commission authorization for 3 years, H.R. 2944 requires the Commission to submit a report to the House and Senate Judiciary Committee within 180 days of enactment. The commission last provided such a report in 2006.

H.R. 2944 requests the Commission to provide a variety of information relating to each category of offenders under the Commission's jurisdiction for fiscal years 2006 through 2011. The report asks the Commission to provide the projected number of Federal offenders who will be under the Commission's jurisdiction as of October 31, 2014, the date this authorization is set to expire. The report also requests an estimate of the date on which no Federal offenders will remain under the Commission's jurisdiction.

This report will inform Congress about where the Commission's resources are being directed, and enable us to decide whether any changes to the Commission are necessary to reflect its decreasing Federal parole responsibilities.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. SCOTT of Virginia. I rise in support of H.R. 2944, and I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2944, which will extend the United States Parole Commission's authority for an additional 3 years. The current authority is set to expire October 31, 2011.

Although Federal parole was abolished with the passage of the Sentencing Reform Act effective November 1, 1987, those sentenced for an offense committed prior to the effect of the date of the abolition, and those sentences that have not yet been completed, remain eligible for parole.

Moreover, the Parole Commission has jurisdiction over other offenders, including the Uniform Code of Military Justice offenders and those under transfer treaties between the United States and other countries. Currently there are over 1,000 parole-eligible prisoners under the Commission authority.

The Sentencing Reform Act requires that release dates be set for all remaining offenders eligible for parole prior to the expiration of the Parole Commission. The Department of Justice is concerned that if the Commission's current authority is allowed to expire, Federal offenders who were sentenced for offenses committed prior to November 1, 1987, will begin to file motions for release under the Sentencing Reform Act, since the act requires such offenders to be given release dates 3 to 6 months prior to the expiration of the commission. We are now beyond that period at this point and no release dates have been set.

For this reason, it is important that we extend the U.S. Parole Commission's authority as soon as possible. I urge my colleagues to support this bill and thank the chairman of the committee, the gentleman from Texas, for his leadership.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2944.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

DEATH IN CUSTODY REPORTING ACT OF 2011

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2189) to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Death in Custody Reporting Act of 2011''.

SEC. 2. STATE INFORMATION REGARDING INDIVIDUALS WHO DIE IN THE CUSTODY OF LAW ENFORCEMENT.

(a) IN GENERAL.—For each fiscal year after the expiration of the period specified in subsection (c)(1) in which a State receives funds for a program referred to in subsection (c)(2), the State shall report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(b) INFORMATION REQUIRED.—The report required by this section shall contain information that, at a minimum, includes—

(1) the name, gender, race, ethnicity, and age of the deceased;

(2) the date, time, and location of death;

(3) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and

(4) a brief description of the circumstances surrounding the death.

(c) COMPLIANCE AND INELIGIBILITY.—

(1) COMPLIANCE DATE.—Each State shall have not more than 120 days from the date of enactment of this Act to comply with subsection (a), except that—

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) INELIGIBILITY FOR FUNDS.—For any fiscal year after the expiration of the period specified in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 10 percent reduction of the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(d) REALLOCATION.—Amounts not allocated under a program referred to in subsection (c)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

(e) DEFINITIONS.—In this section the terms ''boot camp prison'' and ''State'' have the meaning given those terms, respectively, in section 901(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)).

(f) STUDY AND REPORT OF INFORMATION RELATING TO DEATHS IN CUSTODY.—

(1) STUDY REQUIRED.—The Attorney General shall carry out a study of the information reported under subsection (b) and section 3(a) to—

(A) determine means by which such information can be used to reduce the number of such deaths; and

(B) examine the relationship, if any, between the number of such deaths and the actions of management of such jails, prisons, and other specified facilities relating to such deaths.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Attorney General shall prepare and submit to Congress a report that contains the findings of the study required by paragraph (1).

SEC. 3. FEDERAL LAW ENFORCEMENT DEATH IN CUSTODY REPORTING REQUIREMENT.

(a) IN GENERAL.—For each fiscal year (beginning after the date that is 120 days after the date of the enactment of this Act), the head of each Federal law enforcement agency shall submit to the Attorney General a report (in such form and manner specified by the Attorney General) that contains information regarding the death of any person who is—

(1) detained, under arrest, or is in the process of being arrested by any officer of such Federal law enforcement agency (or by any State or local law enforcement officer while participating in and for purposes of a Federal law enforcement operation, task force, or any other Federal law enforcement capacity carried out by such Federal law enforcement agency); or

(2) en route to be incarcerated or detained, or is incarcerated or detained at—

(A) any facility (including any immigration or juvenile facility) pursuant to a contract with such Federal law enforcement agency;

(B) any State or local government facility used by such Federal law enforcement agency; or

(C) any Federal correctional facility or Federal pre-trial detention facility located within the United States.

(b) INFORMATION REQUIRED.—Each report required by this section shall include, at a minimum, the information required by section 2(b).

(c) STUDY AND REPORT.—Information reported under subsection (a) shall be analyzed and included in the study and report required by section 2(f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2189 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

The Death in Custody Reporting Act of 2000 directed the Justice Department's Bureau of Justice Statistics to collect data on deaths that occur at two stages of the criminal justice system: deaths that occur in the process of arrest and deaths that occur in jails and prisons. The provisions of that Act expired in 2006.

H.R. 2189 reauthorizes this data collection program. It further directs the Attorney General not only to collect the data, but also to study the data to determine how to reduce deaths in custody in the future.

The bill also extends the reporting requirements to deaths that occur in Federal custody. And it ensures that those States that make a good faith effort to report this data to the Attorney General will not lose 10 percent of their Federal justice assistance funds if their data submissions are untimely.

The Bureau of Justice Statistics reports that between 2001 and 2006 there were over 18,000 state prisoner deaths. There were an additional 7,000 local prisoner deaths between 2000 and 2006.

□ 1420

More than nine out of every 10 State prisoner deaths were the result of illness or suicide, and eight out of 10 deaths at the local jail level were from those same causes. Although illness-related deaths have increased slightly in recent years, the homicide and suicide rates in the State prisons have dramatically decreased over the last 25 years.

The collection of this data will help Federal, State, and local governments examine the relationship between deaths in custody and the proper management of jail and prison facilities. It will also provide important information to Congress on any need to improve Federal custody procedures.

Because the Bureau of Justice Statistics has continued to collect the information even though the prior law has expired, this bill will not impose any new costs on the agency.

The House passed similar legislation in the 110th and the 111th Congresses with overwhelming bipartisan support. I want to thank the gentleman from Virginia (Mr. SCOTT) for introducing this bill and for his interest and knowledge of the subject. I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to support H.R. 2189, the Death in Custody Reporting Act of 2011.

The bill would require local, State, and Federal law enforcement agencies to report to the Department of Justice information about deaths of individuals which occur while in their custody. We've learned from history about how useful this information can be.

In the 1980s, there was an increased focus on conditions in State and local jails and prisons and the problem of prisoners dying in custody. The interest in oversight of this issue was generated primarily because of the rising tide of expensive wrongful death cases brought in relation to these deaths. Press reports in the 1990s concerning prison abuses and deaths of those incarcerated being attributed to suicide led Congress to develop legislation in response to this problem.

The Death in Custody Reporting Act of 2000 was enacted to require States to report quarterly to the Attorney General brief information regarding the death of any person in the process of arrest or who is otherwise in custody, including jails, prisons, and juvenile facilities.

That law expired in 2006, which led to the effort to reauthorize substantially the same requirements on States and to extend them to Federal agencies as well, which is what H.R. 2189 would do.

This extension, as the gentleman from Texas has mentioned, modifies the sanctions applied for those who do not comply with providing the information. It is expected that the information will be given and negotiations, rather than mandatory sanctions, should result in the information being available.

With detailed statistical data, policymakers at the local, State, and Federal levels can make informed judgments about the appropriate treatment of prisoners and develop ways to lower the prisoner death rate. In fact, since the focus on deaths in custody emerged in the 1980s and the enactment of the law in 2000, there have been significant declines in deaths of those in custody.

This bill is an important reaffirmation of the importance of requiring that States submit this information and expands this commitment to Federal law enforcement agencies as well.

This initiative has a history of strong bipartisan support; and I thank my colleagues from the other side of the aisle, particularly the gentleman from Texas, the chair of the Judiciary Committee, Mr. SMITH, for bringing the bill to the floor today.

I urge my colleagues to support the bill, Mr. Speaker, and I yield back the balance of my time.

Mr. SMITH of Texas. I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 2189, "the Death in Custody Reporting Act of 2011," would require Federal law enforcement agencies and States that receive certain Federal funds to report to the Department of Justice (DOJ) any deaths of persons arrested or detained by law enforcement personnel under their jurisdiction. H.R. 2189 directs DOJ to prepare a report, within two years of enactment, on the information provided by Federal agencies and States and on ways to reduce the number of such deaths.

As a Senior Member on the Judiciary Committee, I am always concerned about the care of all persons detained by Federal, State, and local authorities. Whenever a death occurs in local jails, State prisons, or during the process of arrests by local and State law enforcement, we must ensure that there are systems in place which can identify the reasons behind each death—in the hope that when possible we can prevent these deaths. The collection of this type of information is a vital first step in this process. The Bureau of Justice Statistics (BJS) collects and disseminates this type of data. Originally the program was initiated by The Death in Custody Reporting Act of 2000, upon the expiration of the Act; the BJS continued to collect this information. The BJS needs our support as they represent a unique national resource for understanding mortality in the criminal justice system.

We all know the important role that law enforcement officers play in protecting our streets and our neighborhoods. This data reflects the challenges that they must face in the line of duty and how to best address those challenges. According to the Bureau of Justice Statistics, forty-seven States and the District of Columbia reported 2,002 arrest-related deaths during the three years from 2003 through 2005. Homicides by State and local law enforcement officers were the leading cause of such deaths at 55 percent of deaths, followed by alcohol and drug intoxication incidents, which accounted for 13 percent of deaths, and suicides that represented 12 percent of deaths. In 80 percent of homicides by law enforcement officers, the person being arrested reportedly used a weapon to threaten or assault the arresting officer. Virtually all homicides by officers which accounts for 96 percent of deaths were caused by firearm use. According to the FBI during the same period 380 law enforcement officers were killed in the line of duty of which 159 were homicides. Having these facts readily available will allow authorities to find ways to address the issues faced by those being detained, in detention, and those responsible for safeguarding our neighborhoods and upholding our laws.

H.R. 2189 requires States to report to the Attorney General on quarterly basis information regarding the death of any person who is detained, arrested, en route to incarceration, or incarcerated in state or local facilities or a boot camp prison. To encourage compliance with this requirement States that fail to comply must pay a penalty. H.R. 2189 also requires the head of each Federal law enforcement agency to provide a report directly to the Attorney General. The Attorney General will then study the information and report on means by which it can be used to reduce the number of such deaths.

Summarily H.R. 2189 reauthorizes the Death in Custody Reporting Act. This legislation requires the submission of death statistics at the Federal, State and local levels. The legislation also provides for reductions of up to ten percent of Federal Byrne JAG grant funds at the discretion of the Attorney General, in the event of a State's non-compliance with the reporting requirements. H.R. 2189 also requires an accurate and complete study and report of information on deaths that occurred in custody. Further, H.R. 2189 does not authorize or require any additional spending.

For these reasons I support this legislation and firmly believe it can be used to advance our understanding of mortality in the criminal justice system, which will one day save a life. We must continue to protect persons who are in the custody of Federal, State, and local authorities. I urge my colleagues to lend their support to the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2189.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m. today.

Accordingly (at 2 o'clock and 25 minutes p.m.), the House stood in recess until approximately 3:30 p.m.

□ 1533

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 3 o'clock and 33 minutes p.m.

VETERANS HEALTH CARE FACILITIES CAPITAL IMPROVEMENT ACT OF 2011

Mr. JOHNSON of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2646) to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2646

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Health Care Facilities Capital Improvement Act of 2011''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Authorization of fiscal year 2012 major medical facility projects.
Sec. 3. Modification of authorization for certain major medical facility construction projects previously authorized.
Sec. 4. Authorization of fiscal year 2012 major medical facility leases.
Sec. 5. Authorization of appropriations.
Sec. 6. Modification of requirements relating to congressional approval of certain medical facility acquisitions.
Sec. 7. Limitation on authority of Secretary of Veterans Affairs to use bid savings on major construction projects to expand purpose of major medical facility projects.
Sec. 8. Name of Department of Veterans Affairs telehealth clinic, Craig, Colorado.
Sec. 9. George H. O'Brien, Jr., Department of Veterans Affairs Medical Center.
Sec. 10. Extension of certain expiring authorities.
Sec. 11. Authorization of appropriations for comprehensive service programs for homeless veterans.
Sec. 12. Reauthorization of appropriations for financial assistance for supportive services for very low-income veteran families in permanent housing.
Sec. 13. Extension of grant program for homeless veterans with special needs.
Sec. 14. Extension of specially adapted housing assistance for individuals residing temporarily in housing owned by a family member.
Sec. 15. Extension of funding fees.
Sec. 16. Notice and verification of the use of income information from other agencies.
Sec. 17. Termination or reduction of certain benefits and services based on income information obtained from other agencies.

SEC. 2. AUTHORIZATION OF FISCAL YEAR 2012 MAJOR MEDICAL FACILITY PROJECTS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects in fiscal year 2012, with each project to be carried out in the amount specified for each project:

(1) Construction of seismic corrections for Building 100 at the Department of Veterans Affairs Medical Center in Seattle, Washington, in an amount not to exceed $51,800,000.

(2) Construction of seismic corrections and renovation of various buildings to include Building 209 for housing facilities for homeless veterans at the Department of Veterans Affairs Medical Center in West Los Angeles, California, in an amount not to exceed $35,500,000.

SEC. 3. MODIFICATION OF AUTHORIZATION FOR CERTAIN MAJOR MEDICAL FACILITY CONSTRUCTION PROJECTS PREVIOUSLY AUTHORIZED.

(a) MODIFICATION OF AUTHORIZATION OF FISCAL YEAR 2007 MAJOR MEDICAL FACILITY PROJECT AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN FAYETTEVILLE, ARKANSAS.—Section 803(3) of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109–461) is amended—

(1) by inserting ''and a parking garage'' after ''clinical addition''; and

(2) by striking ''$56,163,000'' and inserting ''$90,600,000''.

(b) MODIFICATION OF EXTENSION OF AUTHORIZATION FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECT IN ORLANDO, FLORIDA, PREVIOUSLY AUTHORIZED IN CONNECTION WITH CAPITAL ASSET REALIGNMENT INITIATIVE.—Section 802(11) of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109–461), as amended by section 702(b)(4) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 122 Stat. 4137), is amended by inserting '', including a Simulation, Learning, Education, and Research Network Center,'' after ''Florida, area''.

(c) INCREASE IN AMOUNT OF AUTHORIZATION OF FISCAL YEAR 2008 MAJOR MEDICAL FACILITY PROJECT AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN PALO ALTO, CALIFORNIA.—The Secretary of Veterans Affairs may carry out the major medical facility project at the Department of Veterans Affairs Medical Center in Palo Alto, California, for which amounts were appropriated under chapter 3 of title I of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2326) under the heading ''CONSTRUCTION, MAJOR PROJECTS'' under the heading ''DEPARTMENT OF VETERANS AFFAIRS'' in an amount not to exceed $716,600,000.

(d) INCREASE IN AMOUNT OF AUTHORIZATION OF FISCAL YEAR 2009 MAJOR MEDICAL FACILITY PROJECT AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, SAN JUAN, PUERTO RICO.—Section 701(3) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 122 Stat. 4137) is amended by striking ''$225,900,000'' and inserting ''$277,000,000''.

(e) INCREASE IN AMOUNT OF AUTHORIZATION OF FISCAL YEAR 2007 MAJOR MEDICAL FACILITY PROJECT AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, ST. LOUIS, MISSOURI.—Section 803(5) of the Veterans Benefits, Health Care, and Information Technology Act of 2006 (Public Law 109–461) is amended by striking ''$69,053,000'' and inserting ''$346,300,000''.

SEC. 4. AUTHORIZATION OF FISCAL YEAR 2012 MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may carry out the following fiscal year 2012 major medical facility leases at the locations specified, in an amount not to exceed the amount shown for that location:

(1) Columbus, Georgia, Community-Based Outpatient Clinic, in an amount not to exceed $5,335,000.

(2) Fort Wayne, Indiana, Outpatient Clinic, in an amount not to exceed $2,845,000.

(3) Mobile, Alabama, Outpatient Clinic, in an amount not to exceed $6,565,000.

(4) Rochester, New York, Outpatient Clinic, in an amount not to exceed $9,232,000.

(5) Salem, Oregon, Community-Based Outpatient Clinic, in an amount not to exceed $2,549,000.

(6) San Jose, California, Outpatient Clinic, in an amount not to exceed $9,546,000.

(7) South Bend, Indiana, Outpatient Clinic, in an amount not to exceed $6,731,000.

(8) Springfield, Missouri, Community-Based Outpatient Clinic, in an amount not to exceed $6,489,000.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2012 or the year in which funds are appropriated for the Construction, Major Projects, account $87,300,000 for the projects authorized in section 2.

(b) MODIFICATION OF AUTHORIZATION FOR CERTAIN MAJOR MEDICAL FACILITY CONSTRUCTION PROJECTS PREVIOUSLY AUTHORIZED.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2012 or the year in which funds are appropriated for the Construction, Major Projects, account $850,070,000 for the projects authorized in section 3.

(c) AUTHORIZATION OF APPROPRIATIONS FOR MEDICAL FACILITY LEASES.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2012 or the year in which funds are appropriated for the Medical Facilities account $49,292,000 for the leases authorized in section 4.

(d) LIMITATION.—The projects authorized in sections 2, 3, and 4 may only be carried out using—

(1) funds appropriated for fiscal year 2012 pursuant to the authorization of appropriations in subsection (a) of this section;

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2012 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2012 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2012 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before 2012 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after 2012 for a category of activity not specific to a project.

SEC. 6. MODIFICATION OF REQUIREMENTS RELATING TO CONGRESSIONAL APPROVAL OF CERTAIN MEDICAL FACILITY ACQUISITIONS.

Section 8104 of title 38, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''detailed description'' and inserting ''detailed estimate of the total costs'';

(ii) by striking ''a description of the consideration'' and inserting ''a detailed report of the consideration''; and

(iii) by adding at the end the following: ''Such detailed estimate shall include an identification of each of the following:

''(A) Total construction costs.

''(B) Activation costs.

''(C) Special purpose alterations (lump-sum payment) costs.

''(D) Number of personnel.

''(E) Total costs of ancillary services, equipment, and all other items.'';

(B) by striking paragraphs (2) and (3) and redesignating paragraphs (4) through (8) as paragraphs (2) through (6), respectively;

(C) in paragraph (2), as so redesignated, by striking ''a five-year period and a ten-year period'' and inserting ''a five-year period, a ten-year period, and a twenty-year period'';

(D) in paragraph (3), as so redesignated, by inserting before the period at the end the following: '', including information on projected changes in workload and utilization over a five-year period, a ten-year period, and a twenty-year period'';

(E) in paragraph (4), as so redesignated—

(i) by striking ''Current and projected'' and inserting ''Projected''; and

(ii) by inserting before the period at the end the following: ''(including and identifying both recurring and non-recurring costs (including activation costs and total costs of ancillary services, equipment and all other items)) over a five-year period, a ten-year period, and a twenty-year period''; and

(F) in paragraph (6), as so redesignated—

(i) by striking ''a description of each alternative to construction of the facility that was considered.'' and inserting ''each of the following:''; and

(ii) by adding at the end the following new subparagraphs:

''(A) A detailed estimate of the total costs (including total construction costs, activation costs, special purpose alterations (lump-sum payment) costs, number of personnel and total costs of ancillary services, equipment and all other items) for each alternative to construction of the facility that was considered.

''(B) A comparison of total costs to total benefits for each such alternative.

''(C) An explanation of why the preferred alternative is the most effective means to achieve the stated project goals and the most cost-effective alternative.''; and

(2) in subsection (d)—

(A) by striking ''major medical facility project'' each place it appears and inserting ''major construction project''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''major medical facility projects'' and inserting ''major construction projects''; and

(ii) in subparagraph (B), by striking ''major medical facility'' and inserting ''major construction project''.

SEC. 7. LIMITATION ON AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO USE BID SAVINGS ON MAJOR CONSTRUCTION PROJECTS TO EXPAND PURPOSE OF MAJOR MEDICAL FACILITY PROJECTS.

Section 8104(d)(2) of title 38, United States Code, as amended by section 6, is further amended by adding at the end the following new subparagraph:

''(C) The Secretary may not obligate an amount under subparagraph (A) to expand the purpose of a major construction project except pursuant to a provision of law enacted after the date on which the Secretary submits to the committees described in subparagraph (B) notice of the following:

''(i) The major construction project that is the source of the bid savings.

''(ii) The major construction project for which the Secretary intends to expand the purpose.

''(iii) A description of such expansion of purpose.

''(iv) The amounts the Secretary intends to obligate to expand the purpose.''.

SEC. 8. NAME OF DEPARTMENT OF VETERANS AFFAIRS TELEHEALTH CLINIC, CRAIG, COLORADO.

(a) DESIGNATION.—The Department of Veterans Affairs telehealth clinic in Craig, Colorado, shall after the date of the enactment of this Act be known and designated as the ''Major William Edward Adams Department of Veterans Affairs Clinic''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the clinic referred to in subsection (a) shall be considered to be a reference to the ''Major William Edward Adams Department of Veterans Affairs Clinic''.

SEC. 9. GEORGE H. O'BRIEN, JR., DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.

(a) DESIGNATION.—The Department of Veterans Affairs medical center located in Big Spring, Texas, shall after the date of the enactment of this Act be known and designated as the ''George H. O'Brien, Jr., Department of Veterans Affairs Medical Center''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the Department of Veterans Affairs medical center referred to in subsection (a) shall be considered to be a reference to the ''George H. O'Brien, Jr., Department of Veterans Affairs Medical Center''.

SEC. 10. EXTENSION OF CERTAIN EXPIRING AUTHORITIES.

(a) RECOVERY AUDITS FOR CERTAIN CONTRACTS.—Section 1703(d)(4) of title 38, United States Code, is amended by striking ''September 30, 2013'' and inserting ''September 30, 2020''.

(b) HOMELESS VETERANS REINTEGRATION PROGRAMS.—Section 2021(e)(1)(F) of such title is amended by striking ''2011'' and inserting ''2012''.

(c) TREATMENT AND REHABILITATION FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2031(b) of such title is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(d) ADDITIONAL SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2033(d) of such title is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(e) HOUSING ASSISTANCE FOR HOMELESS VETERANS.—Section 2041(c) of such title is amended by striking ''December 31, 2011'' and inserting ''December 31, 2012''.

(f) ADVISORY COMMITTEE ON HOMELESS VETERANS.—Section 2066(d) of such title is amended by striking ''December 30, 2011'' and inserting ''December 31, 2012''.

(g) AUTHORITY TO TRANSFER REAL PROPERTY.—Section 8118(a)(5) of such title is amended by striking ''the date that is seven years after the date of the enactment of this section'' and inserting ''December 31, 2018''.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS FOR COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.

Section 2013 of title 38, United States Code, is amended—

(1) by striking ''subchapter'' and all that follows through the period at the end and inserting the following: ''subchapter amounts as follows:''; and

(2) by adding at the end the following new paragraphs:

''(1) $150,000,000 for each of fiscal years 2007 through 2009.

''(2) $175,100,000 for fiscal year 2010.

''(3) $217,700,000 for fiscal year 2011.

''(4) $250,000,000 for fiscal year 2012.

''(5) $150,000,000 for fiscal year 2013 and each subsequent fiscal year.''.

SEC. 12. REAUTHORIZATION OF APPROPRIATIONS FOR FINANCIAL ASSISTANCE FOR SUPPORTIVE SERVICES FOR VERY LOW-INCOME VETERAN FAMILIES IN PERMANENT HOUSING.

(a) IN GENERAL.—Subsection (e) of section 2044 is amended—

(1) in paragraph (1), by adding at the end the following new subparagraph:

''(D) $100,000,000 for fiscal year 2012.''; and

(2) in paragraph (3), by striking ''2011'' and inserting ''2012''.

(b) TECHNICAL AMENDMENT.—Paragraph (1) of such subsection is further amended by striking ''carry out subsection (a), (b), and (c)'' and inserting ''carry out subsections (a), (b), and (c)''.

SEC. 13. EXTENSION OF GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

Section 2061(c)(1) of title 38, United States Code, is amended by striking ''2011'' and inserting ''2012''.

SEC. 14. EXTENSION OF SPECIALLY ADAPTED HOUSING ASSISTANCE FOR INDIVIDUALS RESIDING TEMPORARILY IN HOUSING OWNED BY A FAMILY MEMBER.

Section 2102A(e) of title 38, United States Code, is amended by striking ''2011'' and inserting ''2012''.

SEC. 15. EXTENSION OF FUNDING FEES.

Section 3729(b)(2) of title 38, United States Code, is amended by striking ''October 1, 2011'' each place it occurs and inserting ''November 18, 2011''.

SEC. 16. NOTICE AND VERIFICATION OF THE USE OF INCOME INFORMATION FROM OTHER AGENCIES.

Section 5317(g) of title 38, United States Code, is amended by striking ''September 30, 2011'' and inserting ''November 18, 2011''.

SEC. 17. TERMINATION OR REDUCTION OF CERTAIN BENEFITS AND SERVICES BASED ON INCOME INFORMATION OBTAINED FROM OTHER AGENCIES.

(a) TITLE 38.—Section 5317A(d) of title 38, United States Code, is amended by striking ''September 30, 2011'' and inserting ''November 18, 2011''.

(b) SOCIAL SECURITY ACT.—Section 453(j)(11)(G) of the Social Security Act (42 U.S.C. 653(j)(11)(G)) is amended by striking ''September 30, 2011'' and inserting ''November 18, 2011''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. JOHNSON) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JOHNSON of Ohio. I yield myself such time as I may consume.

Mr. Speaker, H.R. 2646, as amended, the Veterans Health Care Facilities Capital Improvement Act, would encompass the Department of Veterans Affairs' request for major medical facility projects and leases for fiscal year 2012 and extend certain expiring authorities.

The bill before us today tracks with the resources that were provided in the appropriations bill that passed the House with bipartisan support.

The VA provides high-quality medical care and services to our honored veterans through an extensive and diverse portfolio of medical facilities. This national infrastructure generates a great deal of costly construction and maintenance needs which the Department must address.

Section 2 of the bill would authorize the appropriation of $87 million for seismic corrections and renovations at facilities in Los Angeles, California, and Seattle, Washington.

Section 3 of the bill would authorize the appropriation of $850 million to construct and modify medical facilities in Palo Alto, California; St. Louis, Missouri; San Juan, Puerto Rico; Fayetteville, Arkansas; and Orlando, Florida.

Section 4 would authorize the appropriation of $50 million for leasing eight out-patient medical facilities in Columbus, Georgia; Salem, Oregon; Springfield, Missouri; Fort Wayne, Indiana; Mobile, Alabama; Rochester, New York; San Jose, California; and South Bend, Indiana.

Section 6 of the bill would clarify what information the VA must provide to Congress when seeking authorization for a major medical project or facility project or lease.

Under current law, the VA is required to submit to Congress a prospectus for all major medical facility projects and lease requests. The information should include details relating to construction, equipment, and other costs for the proposed project, as well as any and all alternatives considered and data on projected utilization and operating costs. However, the VA has not provided this information in sufficient detail to allow Congress to effectively evaluate proposed projects and alternatives. Without accurate and complete information, Congress cannot carry out its statutory mission of ensuring an equitable distribution of medical facilities to provide access to care for our veterans across the United States or be assured we are good stewards of taxpayer dollars.

To similarly improve oversight, section 7 of the bill would require the VA to obtain congressional authorization when using bid savings to expand the purpose of a major medical facility project.

Section 8 of the bill would name the VA telehealth clinic in Craig, Colorado, the ''Major William Edward Adams VA Clinic.'' This provision was adopted from H.R. 1658, introduced by my friend and colleague SCOTT TIPTON from Colorado, and I thank him for bringing this proposal forward. Major William Edward Adams, a Medal of Honor recipient, was a true American hero, and this designation would appropriately memorialize his brave service.

Section 9 of the bill would name the VA medical center in Big Spring, Texas, the ''George H. O'Brien, Jr., Department of Veterans Affairs Medical Center.'' I would also like to thank my friend and colleague from Texas, RANDY NEUGEBAUER, for his efforts to introduce H.R. 558, which became this provision. George H. O'Brien, Jr., is also a Medal of Honor recipient, and it is important that we recognize his honorable service.

Additionally, the bill would extend, for various periods, expiring authorities for several programs, including those that provide services to homeless veterans.

It is deeply concerning that veterans continue to be overrepresented in the homeless population, and helping homeless veterans and those at risk gain access to the support they need to reintegrate into stable community environments and lead productive lives is one of the highest priorities of the Veterans' Affairs Committee.

The extension of these programs would provide comprehensive supportive services to help homeless and at-risk veterans find permanent housing, overcome substance use or other issues, gain meaningful employment, and put them on the path to being productive, successful members of our society.

This legislation represents a bipartisan effort, and I would like to express my thanks to Chairman JEFF MILLER and Ranking Member BOB FILNER, as well as Subcommittee on Health Chairwoman ANN MARIE BUERKLE and Ranking Member MIKE MICHAUD, for their efforts to quickly move this important legislation through committee and to the House floor.

□ 1540

Further, the manager's amendment reflects an agreement reached with the chairman and ranking member of the Senate Committee on Veterans' Affairs, Senator PATTY MURRAY and Senator RICHARD BURR. I extend my appreciation to them for their work on this bill. It is my expectation that, following consideration in the House, the Senate will act to take up H.R. 2646, as amended, and the legislation will be presented to the President for signature prior to the end of the fiscal year.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 2646, as amended, and I reserve the balance of my time.

Mr. WALZ of Minnesota. I yield myself such time as I may consume.

I would like to thank the gentleman for his hard work on this bill as well as the chairman and the ranking member. I would also like to thank the gentleman for his service to this Nation in uniform and now on the VA Committee—a tireless advocate for our veterans. I think this piece of legislation authorizing the construction and some important things that you've just heard the gentleman talk about is a model for how we can do business here in a bipartisan manner—agreeing on things, discussing them, moving out of subcommittees, through the full committee, and now here to the House floor. So thank you for that.

Mr. Speaker, our most solemn obligation is to take care of the men and women who have served our Nation and to ensure that they have access to the benefits and the quality health care that they've so rightly earned. We have an obligation to make sure the places that they receive care are world class and safe.

H.R. 2646, as amended, would authorize $937,370,000 for seven major medical facilities. These projects include critical improvements to VA medical centers to protect them in the event of natural disasters and to protect our recovering veterans by addressing basic safety needs, such as adding fire extinguishers and abating existing asbestos. The projects also provide for state-of-the-art facilities and training centers to improve the care veterans receive and to make sure that veterans feel comfortable and welcome at all our facilities. Additionally, the bill would authorize funds for eight new major

medical facility leases that will assist the VA in bringing health care closer to veterans and improve the quality of current health care services, especially in rural America.

It contains several extensions of authority for homeless programs and supportive services for very low-income veteran families. We owe it to our veterans to ensure they have access to secure, safe, clean housing that offers a supportive environment.

Finally, this bill extends programs that are critical for our veterans who suffer from mental health issues. Nearly 30 percent of the patients the VA sees during any given year have a mental health diagnosis. We've taken strides to address this ever-growing issue, but we still have a long way to go. With the growing number of veterans returning from Iraq and Afghanistan and with an increasing number of veterans suffering from mental health issues, we must work together to tackle this challenge, and this legislation helps by extending those programs.

I would certainly encourage my colleagues to do what's right by our veterans and to support this good piece of legislation, H.R. 2646, as amended.

I reserve the balance of my time.

Mr. JOHNSON of Ohio. Mr. Speaker, I yield 3 minutes to my friend and colleague from the great State of Texas, Representative RANDY NEUGEBAUER.

Mr. NEUGEBAUER. I thank the gentleman for yielding.

Earlier this year, I introduced H.R. 558. This legislation would rename the Veterans Affairs Medical Center located in Big Spring, Texas, after Medal of Honor recipient George H. O'Brien, Jr. I would like to thank Chairman MILLER and Congressman FLORES for working to include this legislation as a part of the bill before us today.

Born in Fort Worth, Texas, in 1926, Mr. O'Brien enlisted in the Marine Corps while attending Texas Tech University. Shortly after graduation, he was deployed to Korea.

On October 27, 1952, the Americans mounted a counterattack during the Battle of the Hook, a position of key strategic significance. When the battle began, Second Lieutenant O'Brien leapt from his trench and bravely led his platoon into deadly small arms, artillery, and mortar fire against a numerically superior force.

Mr. O'Brien's official citation tells his story best: ''Although shot through the arm and thrown to the ground by hostile automatic-weapons fire as he neared the well-entrenched enemy position, he regained his feet, waved his men onward, and continued to spearhead the assault, pausing only long enough to go to the aid of a wounded marine. Encountering the enemy at close range, Second Lieutenant O'Brien proceeded to hurl handgrenades into the bunkers and, utilizing his carbine to best advantage in savage hand-to-hand combat, succeeded in killing at least three of the enemy.''

Impressively, despite being wounded, Second Lieutenant O'Brien refused to be evacuated for medical treatment for nearly four hours, and continued to lead his men in battle.

One year to the day after his actions, Mr. O'Brien was awarded the Medal of Honor by President Eisenhower for ''conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a rifle platoon commander in action against enemy aggressor forces.''

Upon his discharge from the United States Marines, O'Brien settled in Big Spring, Texas, to raise a family and begin a career in petroleum geology. He often participated in volunteer programs at the Big Spring VA. In a 2003 interview with American Veteran magazine, old Mr. O'Brien stated, ''This Medal of Honor is not mine. I hold it in trust for so many young people who didn't become grandfathers.'' George Herman O'Brien, Jr., passed away on March 11, 2005. He was 78 years old.

I urge my colleagues to support the underlying bill, and I am proud to honor this great American veteran.

Mr. WALZ of Minnesota. Mr. Speaker, I urge the support of this important piece of legislation. Again, I thank the gentleman from Ohio and the staff on both sides for putting together an important piece of legislation for America's veterans.

As I have no further requests for time, I yield back the balance of my time.

GENERAL LEAVE

Mr. JOHNSON of Ohio. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the manager's amendment to H.R. 2646, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHNSON of Ohio. Once again, I encourage all Members to support H.R. 2646, as amended, and I yield back the balance of my time.

Mr. STUTZMAN. Mr. Speaker, I rise today in support of H.R. 2646, the Veterans Health Care Facilities Capital Improvement Act of 2011. This bill authorizes appropriations for the Department of Veterans Affairs to begin major construction projects and enter into leases for VA facilities in 15 cities. These construction projects and leases will help many veterans around the country receive the best care they possibly can.

One of those leases has special significance for Hoosier veterans. Today, I'm very pleased that Fort Wayne, Indiana, will benefit from a lease that will support an important annex to the VA hospital that serves vets in northeast Indiana.

A 27,000 square-foot annex will provide a mental health clinic, Post Traumatic Stress Disorder Clinic, and substance abuse clinic. This bill is the final step in moving the lease for this annex into fruition and extending health services for veterans in northeast Indiana. This annex will only add to the array of services already provided by the Fort Wayne VA Hospital. It's not the last chapter in our ongoing effort to ensure quality care for our vets, but it's an important one.

Nearly 30 percent of our men and women returning from Operations Enduring Freedom and Iraqi Freedom who use the VA Health System have Post Traumatic Stress Disorder. Seven percent of newly returning veterans enrolled in the VA Health System are addicted to alcohol and/or other substances. It's only right to take care of those who have risked their lives for our Nation.

When I came to Washington, I knew it was critical to obtain a seat on the House Veterans Affairs Committee for this very reason. I have the honor of working for the Fort Wayne hospital and veterans health care in northeast Indiana. This bill is not only important to Hoosier veterans, but also for our veterans around the country. I urge my colleagues to support the passage of H.R. 2646.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 2646, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. JOHNSON of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 3 o'clock and 48 minutes p.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 3 o'clock and 54 minutes p.m.

COMBATING AUTISM REAUTHORIZATION ACT OF 2011

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2005) to reauthorize the Combating Autism Act of 2006.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Combating Autism Reauthorization Act of 2011''.

SEC. 2. DEVELOPMENTAL DISABILITIES SURVEILLANCE AND RESEARCH PROGRAM.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i et seq.) is amended—

(1) in section 399AA(e), by striking ''2011'' and inserting ''2014'';

(2) in section 399BB(g), by striking ''2011'' and inserting ''2014'';

(3) in section 399CC(f), by striking ''2011'' and inserting ''2014''; and

(4) in section 399DD—

(A) in subsection (a), by striking ''Not later than 4 years after the date of enactment of the Combating Autism Act of 2006'' and inserting ''Not later than 2 years after the date of enactment of the Combating Autism Reauthorization Act of 2011''; and

(B) in subsection (b), in paragraphs (4) and (5), by striking ''the 4-year period beginning on the date of enactment of this Act'' and inserting ''the 6-year period beginning on the date of enactment of the Combating Autism Act of 2006''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 399EE of the Public Health Service Act (42 U.S.C. 280i–4) is amended to read as follows:

''SEC. 399EE. AUTHORIZATION OF APPROPRIATIONS.

''(a) DEVELOPMENTAL DISABILITIES SURVEILLANCE AND RESEARCH PROGRAM.—To carry out section 399AA, there is authorized to be appropriated $22,000,000 for each of fiscal years 2012 through 2014.

''(b) AUTISM EDUCATION, EARLY DETECTION, AND INTERVENTION.—To carry out section 399BB, there is authorized to be appropriated $48,000,000 for each of fiscal years 2011 through 2014.

''(c) INTERAGENCY AUTISM COORDINATING COMMITTEE; CERTAIN OTHER PROGRAMS.—To carry out sections 399CC, 404H, and 409C, there is authorized to be appropriated $161,000,000 for each of fiscal years 2011 through 2014.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from Pennsylvania (Mr. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. I yield myself such time as I may consume.

Mr. Speaker, H.R. 2005, the Combating Autism Reauthorization Act of 2011, would enable the Department of Health and Human Services to continue its important work to understand, treat, and cure autism spectrum disorders.

In 2000, Congress passed the Children's Health Act that included funding for research and surveillance on autism. Eventually in 2006, Congress passed the Combating Autism Act that is now being reauthorized.

The Combating Autism Act authorizes HHS to research on autism spectrum disorders and other developmental disabilities at NIH, convene an Interagency Autism Coordinating Council, conduct surveillance to identify the extent of the disorder, and promote early screening and train medical personnel to identify children at risk.

Since the program was first passed in 2006, research has led to better diagnosis, more comprehensive surveillance and programs that offer support and respite for families. I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. DOYLE. I yield myself such time as I may consume.

Mr. Speaker, I am pleased to see that the House of Representatives is considering legislation to reauthorize the Combating Autism Act, and it's not a moment too soon with the Combating Autism Act set to expire at the end of this month.

I want to take this opportunity to emphasize the importance of this act, and I also want to thank my counterpart, my colleague and my good friend, CHRIS SMITH, on the other side of the aisle, for his leadership on this issue.

Five years ago, the House of Representatives passed bipartisan legislation by a voice vote that provided the support and direction for the country's first autism-specific research. That bill, the Combating Autism Act, included life-changing provisions relating to the diagnosis and treatment of persons with autism spectrum disorders, and expanded biomedical research on autism, including an essential focus on possible environmental causes.

With this funding, the Centers for Disease Control have been able to put together detailed surveillance of autism so that we have better data to use. Autism screening at well-baby checkups have become mainstream, and parents are better educated about the warning signs, along with the treatment options. Additionally, standards of care for those with an autism spectrum disorder have been developed for both physical and behavioral health where there had been none.

Early diagnoses and intervention for children with autism is utterly life changing. It can mean the difference between independence in the community and living in a communal home. It can mean the difference between speaking or being mute. And for many parents, it means peace of mind and a support network that would have been impossible without this initial investment in research on autism spectrum disorders.

I introduced this legislation with my good friend, CHRIS SMITH, as part of a three-bill package. Those pieces of legislation would ensure that there are also services available to adults with autism, which I think is critical. It's my hope that in the future this body will have a conversation about the needs of adults living with autism, and that we will consider how best to provide for them so that everyone has a long, fulfilling and productive life.

But, for now, it is of grave importance that the House passes this reauthorization with the same overwhelming support as 5 years ago and that we can get this bill to the President's desk by the end of this month.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. PITTS. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the gentleman from Pennsylvania and, in fact, both gentlemen from Pennsylvania.

Mr. DOYLE, I commend you, and I commend my colleague, CHRIS SMITH, for your excellent work over the years in combating autism and for bringing this bill to reauthorize the Combating Autism Act.

As Mr. DOYLE said, there is an increasing prevalence of autism, and it is a diagnosis and a condition that these children and their families deal with for their entire life. It's a challenge for those families, a tremendous challenge, one that can't be overstated; but it's also a challenge for society as well because the long-term cost involved in providing care for individuals with development disorders can be great, although it can be lessened. There is hope; there is treatment.

The blessing of recent years, in fact, has been that new research and early intervention programs are making an enormous difference in bettering the lives of young boys and girls with autism spectrum disorders.

□ 1600

With early intervention, many can lead much better if not almost normal lives, which is a blessing for all of us, and it's a joy to see. It's a joy to see these children respond to early intervention and begin to develop emotionally.

As a member of the Congressional Autism Caucus, I personally have seen exciting innovations at facilities using a comprehensive approach to care. Mitchell's Place in Birmingham is helping young children and adolescents in Alabama improve both their academic performance and social behavior by combining the latest in research and services with a structured and caring environment.

That center was started by a couple whose young boy had autism, and it is a blessing for our community. You only need to visit that center and see the beautiful children and the new hope that they have, not only they but their proud parents and grandparents as they realize that every day, every week, every month they are improving and becoming more a part of society and more a functioning individual as far as their interaction with others. It is literally a godsend to these people. It's an oasis. It's a spring in the desert.

A coordinated and comprehensive approach to the treatment of autism spectrum disorders has been key to this encouraging process. My home State of Alabama, I am proud to say, has recognized the importance of close cooperation when it formed the Alabama Interagency Autism Coordinating Council in 2008. To a certain extent it looked to Pennsylvania and the work that had been done there. Children and parents across my State are being helped by the council's planning and awareness efforts.

Finally, the Combating Autism Act has been crucial to promoting a coordinated approach on the national level. The renewal of this legislation will build on the successes that have already been achieved in a responsible and effective way. I close by saying that it's my hope that this legislation will receive overwhelming bipartisan support because it is doing good work while making life-changing investments in the health and well-being of

very special children and very precious children.

I thank you, Mr. DOYLE.

Mr. DOYLE. Mr. Speaker, I would like to thank the gentleman from Alabama, a valuable member of the Autism Caucus, for his words of support.

My good friend, CHRIS SMITH, has joined us on the floor. CHRIS, you weren't here, I thanked you for your leadership, and it's good to see you.

Mr. Speaker, at this time I would like to yield 3 minutes to my friend and colleague, the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Let me first thank Congressman DOYLE for yielding me time and certainly thank him for his leadership on this very important issue. Not only has he led on this issue, but he has led on the Energy and Commerce Committee for many years, and I just want to thank him publicly for his friendship and his leadership. Also let me thank Congressman CHRIS SMITH for his bipartisan spirit and his willingness to work on this very important issue. These two men working together have really and truly made a difference. I join the chairman of the subcommittee, Mr. PITTS, and all of the others, in thanking them for a job well done.

Mr. Speaker, later today the House is going to take up this legislation, the Combating Autism Reauthorization Act of 2011. Make no mistake about it, I intend to vote for this very important bill.

However, I have come to the floor today to make a very simple but important point that I had intended to raise had this bill been heard in regular order and had it been considered by our committee.

Although autism occurs in every racial, ethnic, and socioeconomic group, studies show clearly that, on average, a diagnosis of autism or autism spectrum disorder is actually delayed by almost 2 years for African American and Hispanic children as compared to their Caucasian counterparts. Many of my colleagues may not know this, but it is a clear fact, minority children are much more likely to be misdiagnosed with conduct-related or adjustment disorders.

Since research shows that early detection yields better, more effective results, it is imperative, Mr. Speaker, that we expand efforts to address disparities in awareness, diagnosis, treatment, and services. In carrying out the programs of the Reauthorization Act, I simply ask the Secretary of Health and Human Services to make every conceivable effort to address the well-documented needs of minority children who are diagnosed with this disease that we refer to as autism.

I want to thank you for listening and thank you for your advocacy, and I urge my colleagues to support passage of H.R. 2005.

Mr. PITTS. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH) and thank him for his leadership on this issue.

Mr. SMITH of New Jersey. I thank my good friend, the chair, Mr. PITTS, for yielding and for his leadership on all issues relating to health, and in particular on autism. I do want to thank Speaker BOEHNER and Majority Leader CANTOR for bringing the bill to the floor. Without them, it wouldn't be on the floor today. And I also thank Energy and Commerce Committee Chairman FRED UPTON. And of course, again, Chairman PITTS.

And I want to thank my good friend Mr. DOYLE. We have worked on this for well over a decade. We formed the Autism Caucus. It has over 100 members. It is totally bipartisan. It has been a pleasure to work with him, and I thank him for his leadership as well.

Mr. Speaker, I do rise in support of this bill, H.R. 2005, the Combating Autism Reauthorization Act of 2011. This legislation is critically important to continue without interruption the progress that has been achieved to date in understanding autism and in developing interventions that will have the greatest impact in helping individuals affected by autism or other developmental disabilities.

When I first got elected to Congress in 1980, the autism community accepted that autism prevalence rates in the United States were something on the order of 3 in 10,000. Today it is estimated to be 1 in 110, and in some places like New Jersey, the data suggests 1 in 94, for a total of about 1.5 million individuals in the U.S. who are suffering from autism.

On May 31 of this year, I chaired a hearing as chairman of the Africa, Global Health, and Human Rights Subcommittee, a hearing entitled, ''Global Autism: A Developmental Disability Pandemic.'' My committee received testimony that some 67 million people worldwide suffer from ASD in the world. There are tens of millions in Africa, according to the World Health Organization. It is an epidemic, and this legislation, the Combating Autism Act, is a very responsible and, I would suggest, modest effort to combat this pandemic that's occurring.

In 1998, Mr. Speaker, the wonderful parents of two autistic children in my district, Bobby and Billy Gallagher, asked me to look into what appeared at the time to be an autism prevalence spike in Brick Township, New Jersey. I invited CDC and the Agency for Toxic Substances and Disease Registry, ATSDR, and others to investigate. Not only did their probe show what appeared to be elevated numbers of children with the disorder in Brick Township, but the data strongly suggested a much wider problem than anticipated in other parts of my State because they weren't doing comparisons, and the data calls produced information which said, we have a problem not just in Brick, but elsewhere.

In direct response to that, in 1999 I introduced the Autism Statistics, Surveillance, Research, and Epidemiology, or ASSURE, Act to establish centers of excellence and create a Federal advisory committee which became Title I of the Children's Health Act of 2000. I always want to thank Chairman BILIRAKIS for including it in his bill. It made all the difference in the world. Five years later, the initiative was reauthorized and expanded in the Combating Autism Act, the law we respectfully ask Members to renew today.

□ 1610

According to the NIH, autism spectrum disorder—and just for the record, again, autism is defined as impaired verbal or nonverbal communication skills and social interactions, and restricted, repetitive, and stereotyped patterns of behavior ranging in impact from mild to significantly disabling—it ought to be noted that the Combating Autism Act of 2011 will continue the success of the CAA of 2006 by authorizing funding for programs at NIH, CDC, and HRSA for 3 additional years.

I would point out, and this is important, autism spectrum disorder is very expensive and, again, efforts made to mitigate its prevalence and to treat with early intervention those who show or manifest signs of it are not only humane, and that should be our driving force, but they are also very cost effective. It's estimated that ASD costs per year are between $35 billion and $90 billion dollars, with a ''b.'' So the costs are very, very large.

H.R. 2005, as my colleagues I know have said, would also reauthorize the Interagency Autism Coordinating Committee, or the IACC, a panel of government and public members tasked with coordinating all ASD-related activities within HHS, as well as developing and annually updating a strategic plan for ASD research in order to enhance the quality, efficacy, and applicability of research grants. In other words, let's spend the money wisely.

To avoid waste and duplication, the IACC has crafted three strategic research plans: one in 2009, one in 2010, and another for this year. For example, in 2009, the strategic plan included 40 research objectives, including development of new diagnostic tools, identification of genetic and environmental risk factors, and assessments of services for people with ASD in all ages in a community setting.

It should be noted that the aging-out issue is becoming increasingly a concern. What does a parent whose son or daughter or sons or daughters turn 21 and the full array of those services are no longer available? What do they do?

Recently I met with Chuck Colson's daughter, who wrote a book called ''Dancing with Max,'' a wonderful story of love between a mother and son. Her son now is aging out, and she is frightened by the prospect of what happens if she gets elderly and those services are not there. We need to be focusing on that.

The 2010 strategic plan had 32 new objectives, including health disparities in

early diagnosis and treatment of co-concurring conditions, such as epilepsy, sleep, and gastrointestinal disorders. The 2011 strategic plan added another 16 objectives, including studies on the use and accessibility of alternative and augmentative communication tools for nonverbal individuals.

I just want to say to my colleagues, and I have much more that I will put into the RECORD of how important it is, but all these different agencies of government are surging to try to combat autism. We need to reauthorize this legislation. The CDC has its ''learn the signs, act early campaign.'' My friend, Mr. BUTTERFIELD, earlier mentioned the fact that minority communities have been left out or diagnoses are often not done in a timely way. That is absolutely true. And more needs to be done. The programs are in place. The policies are in place. We need to continue what is truly a very, very effective use of taxpayer dollars to help these autistic children.

There is also the problem, as the information has shown, that early detection is key to mitigating the impact of autism. But still, even with 10 years' experience educating doctors, parents, and educators, there is still about a 2-year lag when there's a detection of something is wrong with my son or daughter before that diagnosis is actually made. The earlier we start the intervention strategies, the greater chance that child will have a quality of life and a life where they can then achieve their goals and their dreams, but if we don't catch it early and begin taking action, very often, the life of that child is more seriously impaired.

This legislation, like I said, is a modest step, but a very crucial step. I want to thank all the organizations for the work that they have done—they have been tremendous—the NGOs that are in the community, Autism Speaks, the Autism Society, the AUCD, all of the groups, for the work that they have done in educating Members.

And again, thank you Chairman PITTS for bringing this bill to the floor, and to ERIC CANTOR for scheduling it and ensuring that we can act on this in a timely way, and again my good friend on the other side of the aisle, Mr. DOYLE, for his leadership.

Mr. Speaker, I rise today in support of H.R. 2005, the Combating Autism Reauthorization Act of 2011. This legislation is critically important to continue without interruption the progress achieved to date in understanding autism and in developing interventions that will have the greatest impact in helping individuals affected by autism or another developmental disability.

When I first got elected to Congress in 1980, the community accepted that autism prevalence rates in the United States were 3 in 10,000. Today, it is estimated to be 1 in 110, and in some places like New Jersey, 1 in 94—for a total of 1.5 million individuals in the United States. On May 31 of this year, I chaired a hearing entitled, ''Global Autism: 'A Developmental Disability Pandemic,' '' and my committee received testimony that some 67 million people suffer from ASD worldwide.

In 1998, the wonderful parents of two autistic children in my district, Bobbie and Billy Gallagher, asked me to look into what appeared to be an autism prevalence spike in Brick Township, New Jersey. I asked CDC and the Agency for Toxic Substances and Disease Registry (ATSDR) and others to investigate, and not only did their probe show what appeared to be elevated numbers of children with the disorder in Brick, but the data strongly suggested a much wider problem than anticipated in other parts of the State.

In 1999, I introduced the Autism Statistics, Surveillance, Research and Epidemiology (ASSURE) Act to establish centers of excellence and create a Federal advisory committee, which became Title I of the Children's Health Act of 2000.

Five years later, the initiative was reauthorized and expanded in the Combating Autism Act—the law we respectfully ask members to renew today.

According to the National Institutes of Health, Autism Spectrum Disorder (ASD) is ''characterized by impaired verbal and nonverbal communication skills and social interactions and restricted, repetitive and stereotyped patterns of behavior, ranging in impact from mild to significantly disabling.''

The total cost to society of ASD has been estimated from 35 to 90 billion dollars annually. The Harvard School of Public Health calculated that it can cost $3.2 million to take care of one autistic person over his or her lifetime. Looking at medical expenses alone, a CD study of employer-based health insurance showed that individuals with an ASD had average medical expenditures that exceeded those without an ASD by $4,100 to $6,200 per year.

A decade of research, surveillance, treatment and education has had a significant positive impact on the ASD affected person, as well as his or her family—who, as we all know, face huge financial and emotional challenges of their own.

The Combating Autism Reauthorization Act of 2011 will continue the success of the CAA of 2006 by authorizing funding for programs at NIH, CDC, and HRSA for three additional years. Total funding for the legislation will be at the fiscal year 2011 appropriated level of $231 million for each of fiscal years 2012, 2013, and 2014. The Reauthorization Act will authorize appropriations of $22 million for surveillance; $48 million for education, early detection, and intervention; and $161 million for NIH research and operation of the Interagency Autism Coordinating Committee.

This is not considered ''new'' money, but rather a straight-line reauthorization of total funds for the legislation, in compliance with the ''cut-go'' requirements of the 112th Congress. The Combating Autism Reauthorization Act also retains sunset and reporting provisions that ensure appropriate review and accountability.

H.R. 2005 reauthorizes the Interagency Autism Coordinating Committee (IACC)—a panel of government and public members, tasked with coordinating all ASD-related activities within HHS, as well as developing and annually updating a strategic plan for ASD research. In order to enhance the quality, efficacy and applicability of research grants and to avoid waste and duplication, the IACC has crafted 3 strategic research plans in 2009, 2010, and 2011.

For example, in 2009, the strategic plan included 40 research objectives, including the development of new diagnostic tools, identification of genetic and environmental risk factors, and assessments of services for people with ASD of all ages in a community setting.

The 2010 IACC strategic plan has 32 new objectives, including health disparities in early diagnosis and treatment of co-occurring conditions, such as epilepsy and sleep and gastrointestinal disorders.

And the 2011 strategic plan added another 16 objectives, including studies on the use and accessibility of alternative and augmentative communication (AAC) tools for nonverbal individuals.

The IACC also summarizes advances in ASD research identified as having the greatest impact on the field of autism, which has included the association between family history of autoimmune disease and ASD, genetic risk factors, racial disparities, and novel ways to diagnose ASD using speech patterns. Just for fiscal year 2010, NIH awarded 528 grants from baseline funding to pursue promising research related to autism.

This reauthorization bill also continues support of the critical surveillance and epidemiology programs that were established by the Children's Health Act and strengthened by the Combating Autism Act.

The Autism and Developmental Disabilities Network (ADDM) has published the most comprehensive and highest quality estimates to date of the prevalence of ASD in multiple areas of the U.S.

The Centers for Autism Developmental Disabilities Research and Epidemiology has implemented the Study to Explore Early Development (SEED), which is the largest study planned to date of the causes of autism, including genetic and environmental risk factors. The study has enrolled 2700 families and initial findings are due next year.

The CAA also focuses on programs in education, early detection and interventions that have already impacted the lives of hundreds of thousands of individuals with autism and other developmental disabilities and their families.

CDC's health communication campaign, ''Learn the Signs. Act Early,'' educates parents, health care professionals, and early childhood educators about the importance of monitoring a child's developmental milestones, seeking further evaluation where there is a concern, and seeking early intervention services as soon as possible.

The Maternal and Child Health Bureau of the Health Resources and Services Administration developed and implemented the Combating Autism Act Initiative, which is conducting research on and providing training to health professionals in the use of valid, reliable screening and diagnostic tools and in the provision of evidence-based interventions for children with ASD or another developmental disability.

As a result of increased awareness of the public, of educators, and of health care professionals, the median age for diagnosis of autism—which currently is about 4.5 years—appears to be on the decline. However, it is important to continue our efforts, as there is still on average a 2 year time gap from developmental concerns to actual diagnosis, research has demonstrated the positive impact of implementing behavioral intervention before age 3, and Applied Behavioral analysis has shown significant improvement for children as young as 18 months.

In summary, under the Children's Health Act and the Combating Autism Act, our scientific infrastructure for addressing autism and other developmental disorders has developed and we have made major advances in our understanding of ASD. For the first time, we have high quality data on prevalence and data to support analysis of causes of autism, and a clearer picture of promising paths and gaps in research. Health professionals have a level of knowledge for greatly improved diagnostics and interventions to provide meaningful medical and behavioral benefits. There is optimism that a sustained focus on genetic and environmental triggers will lead to efficacious treatments and prevention strategies. Importantly, the infrastructure and programs are in place to continue our progress.

I want to thank our Speaker BOEHNER and Majority Leader CANTOR, as well as Energy and Commerce Chairman UPTON, Health Subcommittee Chairman PITTS for the leadership that have shown in moving this legislation forward. I also would like to thank my friend and autism caucus co-chair, Congressman MIKE DOYLE, for his work in developing and supporting this legislation.

Mr. DOYLE. I want to thank my friend, CHRIS SMITH, for his important words. I hope all Members were listening carefully because the clock is running.

Mr. Speaker, we anticipate maybe some people coming to the floor to speak, so at this time I will reserve the balance of my time.

Mr. PITTS. I yield 1 minute to the gentleman from Mississippi (Mr. HARPER).

Mr. HARPER. Mr. Speaker, I rise today in support of the Combating Autism Reauthorization Act of 2011, and I want to thank my colleagues, particularly Congressman SMITH, Congressman DOYLE, and Chairman PITTS, for their great work on bringing this to the forefront today.

Experts estimate that one in every 110 children is diagnosed with autism. As a whole, developmental disabilities affect an increasing number of young people, and specifically students. In an effort to help provide students with exciting education and enrichment opportunities, I was honored to establish the Congressional Internship Program for Individuals With Intellectual Disabilities in 2010. Last week, 22 congressional offices, Republican and Democratic, welcomed 11 developmentally disabled students to their staffs to serve as interns for this fall.

Collecting data for autism spectrum disorders and other developmental disabilities is vital to ensuring that every young person with a significant disability has the opportunity, the encouragement, and the support to become gainfully employed in an integrated setting, pursue a postsecondary education, and contribute to and engage in meaningful ways in typical community settings once they leave high school. This gives these individuals with autism hope.

I urge my colleagues to support this legislation.

Mr. DOYLE. I yield myself the balance of my time.

Mr. Speaker, I first learned about autism when I was a young staffer in the Pennsylvania State senate. A gentleman by the name of Dan Torisky came into our office one day. His son, Eddie, had autism, and he had asked us to see what we could do at the State level to give him and his family some help. Eddie was a young man at that time. He's an adult now. He's in his mid-forties. A lot of people's idea of autism I think was from the movie ''Rain Man.'' That was about the only thing they knew about autism. It was something that people didn't understand and something that was frequently misdiagnosed.

When CHRIS and I decided to form this caucus over 10 years ago, one of the goals that we had was to bring education and awareness, not only to our colleagues, many of whom were not familiar with the disorder, but also to the public, and also to bring some attention to the researchers at NIH too, that there was something much bigger to this than people realized. It has borne fruit over the years. We've seen research dollars greatly increased at NIH.

I want to also echo what my friend, CHRIS, said about the parents' groups. This is really the strength of the autism community. It's not the Autism Caucus. It's not CHRIS SMITH or MIKE DOYLE. It's really the parents of these children that formed the many different groups you see out there. Their grassroots effort really has grown this movement, brought attention to it, given it strength and brought us to where we are today.

We have a clock ticking. This act expires at the end of September. I know there's some concern over in the Senate with some of our colleagues about reauthorizing these specific bills. I hope that all of us will speak to our colleagues over in the Senate—I certainly intend to speak to mine—and stress the importance of continuing the great progress that's been made over these past 5 years. This is not a time for us to stop what we're doing and to pull support for this very, very important act.

I hope that we will pass this swiftly in the House of Representatives, and I hope all of us will use whatever influence we may have with our colleagues in the other body to see that they also get this reauthorized by the end of the month so that the President can sign it for all of the families out in America who are dealing with this disorder.

With that, Mr. Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I have no other speakers. I urge Members to support H.R. 2005. I commend, again, CHRIS SMITH and MIKE DOYLE for their leadership on this issue.

With that, I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 2005, the Combating Autism Reauthorization Act. As a founding Member of the Congressional Children's Caucus, I am greatly concerned with the impact that autism has on children and their families.

The Centers for Disease Control and Prevention (CDC) estimates that Autism Spectrum Disorders impact an average of 1 in 110 American children, and 1 in 70 boys. We can all benefit from learning about this disease; autism occurs in all racial, ethnic, and socioeconomic groups. Continuing research on treating this disease is essential for children's health. Thousands of children with autism disorders have already shown significant improvement and increased independence resulting from early detection and new treatments.

Currently, there are between 1 and 1.5 million Americans living with a form of autism. If current diagnostic rates remain the same or increase, more children will be diagnosed with autism this year than AIDS, diabetes and cancer combined. Autism is the fastest growing serious developmental disability in the country. In my home state of Texas, where I represent the 18th Congressional District, there are 1 out of every 163 public students who are eight years old has a form of autism.

As many parents can attest, autism is an extremely costly disability; the average annual medical expenditures for individuals with autism are between 4 and 6 times greater than those without autism. The Center for Disease Control (CDC) places the average lifetime care cost for an autism patient at 3.2 million dollars. This legislation provides funding for services to assist individuals with autism and their families, and allocates vital dollars toward research to improve care and treatment.

The Combating Autism Act of 2006 was a landmark piece of legislation that raised awareness of autism spectrum disorders, and organized an aggressive federal response to autism. Reauthorizing this bill continues funding at current levels, $693 million dollars over 3 years for biomedical and treatment research, and services for those living with autism and their families.

In 2006, the Combating Autism Act established the disease as a national health priority, increased awareness, and highlighted the need for swift and urgent action to address autism. Since that time, promising developments and innovations have helped individuals living with autism lead more independent lives. Improvements in detection and treatment have led to increased independence in teenagers and adults with autism.

The Combating Autism Reauthorization Act is a shining example of how government can do more than issue Social Security checks and debate debt reduction. This legislation clearly demonstrates that our government can be a force for good, and a mechanism for change. New science and new technology have presented an unparalleled moment of possibility; this legislation has the power to make real differences in the lives of those affected by autism.

Mr. Speaker, we all have constituents living with autism. We all have constituents whose child, sibling, cousin, or friend is living with a form of autism. This disability affects Americans of all races and backgrounds, and I urge my colleagues to join me in supporting H.R. 2005, the Combating Autism Reauthorization Act.

Ms. HIRONO. Mr. Speaker, I rise today in strong support of H.R. 2005, the Combating Autism Reauthorization Act of 2011, a bill important to many families in Hawaii.

H.R. 2005 reauthorizes the landmark Combating Autism Act of 2006, which significantly increased both the depth and breadth of the federal response to the national and public health emergency posed by autism spectrum disorders (ASD).

Since passage of that law, we have made tremendous strides in federally-funded and directed research. It was the detailed surveillance by the federal Centers for Disease Control under the act that identified the increasing prevalence of autism: 1 in every 110 American children—including 1 in 70 boys—is diagnosed with an ASD, making it the nation's fastest-growing, serious developmental disorder.

I've heard from a mother in Kailua on the island of Oahu who credits the 2006 law for providing her family with needed medical attention and assistance for their autistic child. H.R. 2005 builds on our good efforts.

I became a cosponsor of the bill because I believe it supports hope and opportunity for a brighter future for families not only in Hawaii but across our nation. I urge my colleagues to join me in voting in support of the H.R. 2005.

Mr. LOEBSACK. Mr. Speaker, today, one in every 110 children is diagnosed with autism and 1.5 million individuals in the United States are affected by this disorder. The rate of autism is increasing by at least 10 percent annually, but scientists do not yet know why. That is why research into causes and treatments for autism is so important.

That is why I rise today in support of the Combating Autism Reauthorization Act of 2011, which would reauthorize the surveillance and research program for autism spectrum disorders and other developmental disabilities through 2014. The bill would also authorize programs for education, early detection, and intervention, which will give the families affected by this disorder access to the best available care and help make everyone more aware of the impact autism can have on those diagnosed and their families.

Autism affects the constituents of every single Member of Congress. In my own district I have met with families who are affected by autism and participated in walks to raise awareness of this disorder. I urge my colleagues to support bipartisan passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 2005.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1620

CHILDREN'S HOSPITAL GME SUPPORT REAUTHORIZATION ACT OF 2011

Mr. PITTS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1852) to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1852

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Children's Hospital GME Support Reauthorization Act of 2011''.

SEC. 2. PROGRAM OF PAYMENTS TO CHILDREN'S HOSPITALS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.

(a) IN GENERAL.—Section 340E of the Public Health Service Act (42 U.S.C. 256e) is amended—

(1) in subsection (a), by striking ''through 2005 and each of fiscal years 2007 through 2011'' and inserting ''through 2016'';

(2) in subsection (f)(1)(A)(iv), by striking ''2011'' and inserting ''2016''; and

(3) in subsection (f)(2)(D), by striking ''2011'' and inserting ''2016''.

(b) REPORT TO CONGRESS.—Section 340E(b)(3)(D) of the Public Health Service Act (42 U.S.C. 256e(b)(3)(D)) is amended by striking ''Not later than the end of fiscal year 2011'' and inserting ''Not later than the end of fiscal year 2015''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from Pennsylvania (Mr. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. I yield myself such time as I may consume.

Mr. Speaker, H.R. 1852, the Children's Hospital Graduate Medical Education Support Reauthorization Act of 2011, would enable the Department of Health and Human Services to continue to provide funding to freestanding children's hospitals to support the training of pediatricians and other residents. This funding is critical to ensuring the adequacy of the pediatric workforce in the United States.

The program was first enacted by Congress in 1999 with wide bipartisan support and has been reauthorized twice. Since the enactment of the bill, the number of pediatricians trained has increased by 35 percent.

The week we marked up this bill, I met 10-year-old Anna Lipsman. Anna is a bright, outgoing young girl who is fighting leukemia. Diagnosed just a few months ago, Anna spent 2 weeks undergoing treatment at the Children's Hospital of Philadelphia. She is successfully fighting her disease, but will still need additional treatments over the next 2½ years. Anna is a strong, personal reminder of why I introduced this bill.

With the reauthorization of H.R. 1852, we hope to send a clear message to the Obama administration and the Department of Health and Human Services that this bill is important to ensuring that children receive adequate health care.

I would like to thank Mr. PALLONE and all the 114 cosponsors that worked on this legislation.

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. DOYLE. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Children's Hospital Graduate Medical Education Support Reauthorization Act, offered by my good friends, Mr. PITTS and Mr. PALLONE. I know Mr. PALLONE is on his way to the floor and will be speaking shortly. This critical legislation will reauthorize the Children's Hospital Graduate Medical Education program through 2016 to ensure that our children have access to the care they need and deserve, and I urge my colleagues to pass this bill with unanimous support.

The original bipartisan program was enacted over a decade ago to provide children's hospitals across the country with the Federal support to implement and carry out necessary residency training programs. Last year alone, over 50 children's hospitals received funding to carry out these training programs. Today, over 40 percent of pediatricians and pediatric specialists are trained through the Children's Hospital Graduate Medical Education program. This program is vital to maintaining the pediatric workforce and ensuring children's access to the highest levels of pediatric care provided in this country.

The Children's Hospital GME program is a critical investment in our children's health, and I am proud today that we will vote to reauthorize this hugely successful program.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. PITTS. I yield such time as he may consume to the gentleman from New Jersey (Mr. LANCE), a member of the subcommittee.

Mr. LANCE. Mr. Speaker, I rise in strong support of H.R. 1852, legislation to reauthorize the Children's Hospital Graduate Medical Education program.

Today's legislation will assist pediatric training programs across the country by maintaining and strengthening existing hospital graduate medical education programs for children.

Independent children's hospitals have an indispensable role in the children's health workforce, training 40 percent of all pediatric residents and 43 percent of pediatric specialty fellows, and providing pediatric training for many other residents. Nowhere is this more evident than Children's Specialized Hospital in Mountainside, New Jersey, in the district I have the honor of serving. Under the strong leadership of my friend, Amy Mansue, the staff does an excellent job training and caring for children and making sure that highly

qualified, effective medical personnel exist.

I thank Health Subcommittee Chairman PITTS for his tremendous work in this effort, as well as Ranking Member PALLONE. And I thank them for working in a bipartisan capacity to bring this legislation to the floor. I am honored to serve on Chairman PITTS' subcommittee, and I am pleased that the full Energy and Commerce Committee has agreed with what we have tried to accomplish in the subcommittee.

I urge all of my colleagues here in the House of Representatives to support H.R. 1852. It is essential that this program be reauthorized.

Mr. DOYLE. Mr. Speaker, it appears the gentleman from New Jersey (Mr. PALLONE) is not here yet. His flight was late getting in.

Therefore, I have no requests for time, and I yield back the balance of my time.

GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. In conclusion, I would like to thank the ranking member of the subcommittee, Mr. PALLONE, for his leadership on this issue. It has been a bipartisan effort on the Health Subcommittee and Energy and Commerce Committee.

I urge all Members to support the Children's Hospital Graduate Education Support Reauthorization Act, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 1852, "The Children's Hospital GME Support Reauthorization Act of 2011," would amend the Public Health Service Act to reauthorize payments to children's hospitals operating training programs that provide graduate medical education. These payments would be made to hospitals for both direct and indirect costs related to graduate medical education.

Americans across our nation need care, and the Children's Hospital GME (CHGME) program has been utilized by hospitals across our country to train doctors who can provide that care. I represent the 18th District which is home to the Methodist Hospital System, one of the largest medical institutions in the world. In 2010, the Methodist Hospital System graduated sixty-nine doctors from the resident CHGME program. That is 69 additional doctors who will meet our growing health care needs. H.R. 1852 will allow Houston to continue to recruit and train so many talented doctors.

Overall, freestanding children's hospitals have increased their medical resident training programs by 35 percent since 1999. If CHGME is allowed to expire we will lose the gains we have made in this field. There is no reasonable argument for allowing this program to expire as it provides a great benefit at a marginal cost. For this fiscal year, the program has spent .0085 percent of the federal budget. This small expenditure allows children's hospitals to train more than 5,600 full-time equivalent residents—more than one third of our nation's pediatricians.

According to the Association of American Medical Colleges, the nation could face a shortage of as many as 150,000 doctors in the next 15 years. The funds generated from this legislation will help train the medical professionals we desperately need. In a time when there are growing health disparities within our nation. It is important to address the needs of underserved urban areas. The more medicinal professionals we train there is an increase likelihood that these underserved communities will have access to proper medical care.

The program supports 56 hospitals nationwide and trains more than 5,000 medical residents each year. It started 12 years ago as an effort to provide children's hospitals with funding for residencies and fellowships. There are other federal programs to assist residency funding exist; however, the CHGME program caters to pediatrics, while others are open to all teaching hospitals.

This funding is vital as it will help to cover the cost of 5,600 pediatric residencies at more than 50 children's hospitals across the United States. Forty percent of the nation's pediatricians and 43 percent of pediatric subspecialists receive training from the program. We must train the very professionals who will one day save the life of a child.

The CHGME pays for the salaries of medical students and compensate hospitals for patient care costs that are often higher in teaching hospitals than non-teaching hospitals. We should provide the funds necessary to train students in a profession that will benefit society.

I support this legislation because it will increase the quality of medical training in the United States. I believe that H.R. 1852 improves upon a system that sets the bar for medical care internationally. Through government funding, the program has succeeded in bolstering research potential at these institutions as well as helping to cure a problem that supersedes political boundaries: children's illness. This bill creates positive effects that cross party lines, and I urge my distinguished colleagues to vote a resounding and unified "yes."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 1852.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

H.R. 2944, de novo;

H.R. 2189, de novo;

H.R. 2646, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

UNITED STATES PAROLE COMMISSION EXTENSION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2944) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POSEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 712]

YEAS—415

Ackerman	Blumenauer	Chabot
Adams	Bonner	Chaffetz
Aderholt	Bono Mack	Chandler
Akin	Boren	Chu
Alexander	Boswell	Cicilline
Altmire	Boustany	Clarke (MI)
Amash	Brady (PA)	Clarke (NY)
Amodei	Brady (TX)	Clay
Andrews	Braley (IA)	Cleaver
Austria	Brooks	Clyburn
Bachus	Broun (GA)	Coble
Baldwin	Brown (FL)	Coffman (CO)
Barletta	Buchanan	Cohen
Barrow	Bucshon	Cole
Bartlett	Burgess	Conaway
Barton (TX)	Burton (IN)	Connolly (VA)
Bass (CA)	Butterfield	Conyers
Bass (NH)	Calvert	Cooper
Becerra	Camp	Costa
Benishek	Campbell	Costello
Berg	Canseco	Courtney
Berkley	Cantor	Cravaack
Berman	Capito	Crawford
Biggert	Capps	Crenshaw
Bilbray	Capuano	Critz
Bilirakis	Cardoza	Crowley
Bishop (GA)	Carney	Cuellar
Bishop (NY)	Carson (IN)	Culberson
Bishop (UT)	Carter	Cummings
Black	Cassidy	Davis (CA)
Blackburn	Castor (FL)	Davis (IL)

Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NOT VOTING—18

Baca
Bachmann
Buerkle
Carnahan
Giffords
Gutierrez
Lewis (GA)
McGovern
Paul
Pelosi
Quayle
Reichert
Rohrabacher
Ryan (OH)
Ryan (WI)
Schrader
Smith (NJ)
Young (FL)

□ 1854

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEATH IN CUSTODY REPORTING ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2189) to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Nebraska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 398, nays 18, not voting 17, as follows:

[Roll No. 713]

YEAS—398

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton

Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—18

Amash
Broun (GA)
Duncan (SC)
Duncan (TN)
Flake
Gohmert
Graves (GA)
Harris
Kingston
Labrador
Landry
Marchant
Pearce
Poe (TX)
Stutzman
Walsh (IL)
Westmoreland
Woodall

NOT VOTING—17

Baca
Bachmann
Black
Buerkle
Carnahan
Giffords
Gutierrez
Lewis (GA)
Markey
McGovern
Paul
Quayle
Reichert
Rohrabacher
Ryan (WI)
Schrader
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

□ 1903

Messrs. POE of Texas, WESTMORELAND, and KINGSTON changed their vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETERANS HEALTH CARE FACILITIES CAPITAL IMPROVEMENT ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2646) to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. JOHNSON) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 3, not voting 18, as follows:

[Roll No. 714]

YEAS—412

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (IN)

NAYS—3

Lummis
Mulvaney
Wilson (SC)

NOT VOTING—18

Baca
Bachmann
Black
Buerkle
Carnahan
Giffords
Gutierrez
Hurt
Lewis (GA)
Markey
McGovern
Paul
Quayle
Reichert
Rohrabacher
Ryan (WI)
Schrader
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1910

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE LIFE OF ERNEST HOUSE, SR.

(Mr. TIPTON asked and was given permission to address the House for 1 minute.)

Mr. TIPTON. Madam Speaker, I rise today to honor the former Ute Mountain Ute tribal leader from the Weeminuche Tribe, Ernest House, Sr. Over the past 30 years, his influence, dedication, and leadership to the Ute Mountain Ute Tribe has grown the tribe's influence in the State of Colorado and in the United States.

Mr. House is the grandson of the Ute Mountain Ute Tribe's last hereditary chief, Chief Jack House. In the last years of Chief Jack House's life, Mr. Ernest House, Sr., cared for him, learning much about the tribe's history and potential for future plans.

Mr. House was first elected to the Ute Mountain Tribal Council in 1979. Three years later, Mr. House became chairman for the first time, beginning the first of his four nonconsecutive 4-year terms as chairman of the Ute Mountain Tribe, his last term ending in 2010.

As chairman, Mr. House helped the Ute Tribe accomplish several projects that widened the tribe's economic and natural resource development. Between 1986 and 1988, Mr. House worked to complete two major water compacts to

provide water throughout the Ute territories. In addition, Mr. House oversaw several building projects, including a tribal health center and casino. In his last term as chairman, Mr. House, Sr., focused primarily on tribal safety, widening the tribe's police force from 2 officers to more than 12 officers.

On Saturday, September 17, 2011, Mr. House was tragically taken from us after a motorcycle accident outside of Cortez, Colorado.

Madam Speaker, it is an honor and a privilege to recognize Mr. Ernest House, Sr. His leadership and dedication to the Ute Tribe has benefited thousands, and he will be greatly missed by the Ute Tribe and the State of Colorado.

PASS THE JOBS BILL

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Madam Speaker, I rise on behalf of the 64 percent of Americans—and growing—who say, ''Pass the jobs bill.''

I rise on behalf of those who have sought to get work time and time again. I rise on behalf of the citizens of the State of Texas, for the 8.3 percent—and growing—unemployed individuals in our own State, which has been represented to be a State that has no unemployment. We are resilient, yes. But in working with the United States, it is important to note that we must do something to restore the opportunities for people to work and to restore human dignity.

As the President said, we should have one purpose in this House. It should be to work for the American people. We can balance this budget, we can reduce the deficit, but we really can put people to work: firefighters and teachers and police officers. We can invest in this economy, we can provide education, and we can put Americans back to work.

Let's not make ourselves number one. Let's make the American people number one. Pass the jobs bill now.

HISPANIC HERITAGE MONTH

(Mr. CANSECO asked and was given permission to address the House for 1 minute.)

Mr. CANSECO. Madam Speaker, I rise today in honor of the 25th Annual Hispanic Heritage Month.

America is a Nation of immigrants, and each immigrant group has added to the richness that is American culture. Hispanics are no different and are an important chapter in the story of America.

My parents came to this country from Mexico, seeking the American Dream. They instilled in me the belief that with hard work and dedication, one could create a better future. This is one of the great common denominators of the immigrant experience in America. They raised me to believe that, in America, the land of opportunity, if I worked hard every day I could make a difference for myself and my family.

This month gives us the opportunity to celebrate Americans of Hispanic ancestry because they believe in the American Dream and have made a difference in their lives and in America by chasing this dream.

Just as my parents taught me, I believe that individual freedom and liberty will lead us to a future of economic and social prosperity. Our businesses will grow, our economy will prosper, and America will continue to thrive.

Hispanics understand the vitality of small businesses as the single fastest-growing segment of small businesses in this country, generating almost $400 billion in annual revenue. I believe that Hispanics will continue to play a vital role in the American economy and society, and that their contributions will only continue to grow.

□ 1920

SMALL BUSINESS IS BIGGEST ENGINE FOR JOB CREATION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, listening to the prior Member talk about small business, I have to say I agree that small business is the biggest engine for job creation in this country.

It was such a pleasure today to join Vice President JOE BIDEN at Wrap-Tite, Inc., in Solon, Ohio, and to see the role that government must play when the market isn't fully functioning and when the banks aren't fully lending, and to see the Small Business Administration's 504 loan guarantee program at work creating jobs at this wonderful, wonderful company that now has millions and millions of dollars in sales.

When the regular banks weren't working, it was the SBA, Small Business Administration, that we support, some of us support, that was able to draw on the capital that made possible the investment for expansion, and they have hired five more people.

Imagine if there were 30,000 more companies in America that could do that, with the changes in the Jobs Act that the President is proposing, in order to reduce payroll taxes on individuals, as well as businesses and the other incentives for small business creation, we can really help lift this economy when she can't lift herself alone. It was a pleasure to be there today.

I congratulate Wrap-Tite and want to say it was great to celebrate that patriotic spirit of making the market work.

PULMONARY FIBROSIS AWARENESS WEEK

(Mr. PAULSEN asked and was given permission to address the House for 1 minute.)

Mr. PAULSEN. Madam Speaker, 48,000 Americans a year walk out of their doctor's office with the news that they have pulmonary fibrosis, joining the nearly 200,000 Americans already afflicted with this little understood killer. There is no known cure for this lethal lung disease, which takes the life of an American on average every 13 seconds, more than 40,000 individuals annually, roughly the same number as those afflicted with breast cancer.

This week is National Pulmonary Fibrosis Awareness Week, and I ask my colleagues to join me in cosponsoring the Pulmonary Fibrosis Research Enhancement Act. This bipartisan legislation will create a national registry, encourage Federal research at the National Institutes of Health, and also create a national action plan so that we can better understand this deadly disease and one day discover an effective treatment.

Madam Speaker, this effort is really critical to giving hope to the hundreds of thousands of people who live with this debilitating disease.

HONORING SENATOR CHARLES PERCY

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Madam Speaker, I rise today to remember Senator Charles Percy, who passed away just this last week at the age of 91. Senator Percy served the great State of Illinois for 18 years. His leadership was recognized by his colleagues, and he went on to chair the Senate Foreign Relations Committee. He was also beloved by his constituents for his efforts to provide home ownership to low-income families and his work to eliminate corruption in judicial selection in Chicago and ensuring that all judicial nominations were done through a strict advisory process.

I am honored to say that Senator Percy is from the 10th District. He is also a graduate of New Trier High School, as am I. In fact, I remember delivering literature as a child for Senator Percy.

Senator Percy's legacy will remain in the hearts and minds of the people of Illinois. Always fighting for justice and those without a voice, he is truly going to be missed. My thoughts and prayers are with his family today.

HISPANIC HERITAGE MONTH

(Mr. RIVERA asked and was given permission to address the House for 1 minute.)

Mr. RIVERA. Madam Speaker, it is with a great sense of honor and pride that I join Congressman CANSECO and my fellow Hispanic American Members of Congress in recognizing Hispanic Heritage Month.

Hispanic Heritage Month provides us with the opportunity to acknowledge

the enormously positive contributions of Hispanic Americans to this diverse Nation of ours. Hispanic Americans are some of the most patriotic and hard-working people that America has ever known. Whether serving in the military or creating jobs, the Hispanic community is the embodiment of the American Dream and the embodiment of American values, faith in God, devotion to family and love of country, which is precisely why Hispanic Heritage Month is an entirely appropriate time to commend the Hispanic American community for enriching the diverse fiber of this great Nation.

A TRIBUTE TO LEO BORJA TUDELA

(Mr. SABLAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SABLAN. Madam Speaker, today, as we struggle with the future of the United States Postal Service, I want to pay tribute to one of the many dedicated individuals who has kept the mail on its way to our homes and businesses in this Nation for almost five decades.

Mr. Leo Borja Tudela was born in the village of Garapan in the Northern Mariana Islands in 1943. His mother, Magdalena Tudela Salas, was the daughter of Jesus Sablan Tudela and Anunciasion Borja Tudela, who raised their grandson.

Leo worked very hard for an education, moving to Guam for high school, returning to college after service in the United States Army, and finally earning a master's degree with honors in California.

Mr. Tudela took his education and crafted a career with the Postal Service, rising to a vice presidency, and today directing operations in the Asia/Pacific-Micronesia region as a member of the Postal Career Executive Service.

Leo Borja Tudela's career exemplifies the power and benefit of education. I congratulate him. And I encourage young people in the Northern Mariana Islands and throughout America to follow that example for their own benefit and for the ultimate benefit of our Nation.

Today, as we struggle with the future of the U.S. Postal Service, I want to take a moment to pay tribute to one of the many dedicated individuals, who has kept the mail on its way to our homes and businesses in this nation for almost five decades.

Mr. Leo Borja Tudela was born in the Northern Mariana Islands in the village of Garapan on the island of Saipan on July 17, 1943. His mother, Magdalena Tudela Salas, was the daughter of Jesus Sablan Tudela and Anunciasion Borja Tudela, who raised their grandson.

Leo was educated at William S. Reyes Elementary School in Chalan Kanoa, graduating with honors. During his elementary years, Leo also served as an altar boy at the Chalan Kanoa Diocese Catholic Church. There he met Pale Arnold, who recognized the young man's intelligence and drive and arranged for him to attend St. Jude Intermediate Catholic School in Sinajana on Guam under the sponsorship of tire Capuchin Fathers in Agana Heights. Leo completed his education on Guam at George Washington High School, serving as editor in chief of the yearbook and graduating in 1962 with honors.

Mr. Borja's education was interrupted by the draft—he served in the U.S. Army for three years, earning a Soldier of the Month Award and Good Conduct Medal before being honorably discharged. But after this military service, Mr. Tudela immediately returned to his education. He first entered the Junior College of San Mateo, California, then moved to California State University at Hayward, California.

This is also when he began to work for the U.S. Postal Service, which would become his life-long career. He took up a part-time position as a postal assistant in South San Francisco, and later moved to full-time, though still in school. Mr. Borja worked the graveyard shift, eight hours each night, then went to his college classes in the morning. Afternoons and evenings were devoted to studies and a little rest. Then at eleven o'clock at night it was back to the post office to move the mail. Mr. Borja maintained this grueling schedule throughout the time it took to earn first his bachelor's degree and then a master's—graduating with honors in both degrees.

Now Mr. Borja's postal career began in earnest. He was promoted to management and sent as an equal employment office specialist to Salt Lake City, Utah. His next assignment was as MSC Director of Employee and Labor Relations in Boise, Idaho, then District Director of E&LR in San Juan, Puerto Rico, in Boston, Massachusetts, and in Santa Ana, California. Moving up the management ladder, Mr. Borja was appointed to be the Manager Sectional Center, City of Industry, East of Los Angeles, California, Division Manager/Postmaster in Oklahoma City, Oklahoma, and District Manager for South Florida in Miami.

In 1992, he became the Vice President for the Southeast Area, responsible for Alabama, Florida, Georgia, Tennessee and Mississippi. He oversaw operations involving more than 92,000 employees, 20,731 post offices, and a budget of three billion dollars.

Throughout his rise in responsibility, Mr. Tudela—and the Postal Service—continued to invest in his education. He attended a number of executive training programs in the Ivy League, at MIT, the University of Virginia, and at Duke.

Though his career had taken him far from his humble roots in the Northern Mariana Islands, Mr. Tudela never forgot his home; and, eventually, his postal service work returned him to the Pacific. He is presently the Director, Asia/Pacific-Micronesia, PCES—Postal Career Executive Service, overseeing all mail to and from Micronesia. He is involved with managing, and participated in crafting, the compact agreements between the United States and the Freely Associated States of Micronesia, which include the Republic of the Marshall Islands, the Republic of Palau, and the Federated States of Micronesia. This work requires him to coordinate with the U.S. State Department and its three embassies in these nations, and with the U.S. Department of the Interior, which also has responsibilities in the region. The U.S. Postal Service and the services it provides are an important component of those compact relationships, benefiting both the Freely Associated States governments and businesses in Micronesia.

He has contributed to development on his home island, as well. In 1990, Mr. Tudela was very instrumental in building a new post office in his birth village of Chalan Kanoa. Land was at a premium on the islands at that time and the Northern Marianas government asked for three million dollars for the property needed for the new facility. Mr. Tudela, through his personal perseverance, worked with the local government, even having local legislation enacted, which resulted in the land being leased to the Postal Service for just one dollar per year for 40 years, with an option for another 40 years truly an example of good financial management at the Postal Service. With the land issue overcome, Mr. Tudela then took personal interest in overseeing the design and construction of the new post office in "C.K.," which the community much enjoys to this day.

Certainly another point of pride for Mr. Tudela has been the opportunity to participate in dedication of special issue stamps commemorating his home. In 1993, Mr. Tudela was there to dedicate the Northern Mariana Islands stamp issued by the U.S. Postal Service. And just last month, on August 12, he dedicated the Northern Mariana Islands stamp that is part of the Flags of Our Nation series.

Although this well-deserved tribute is for Mr. Leo Borja Tudela, it is my hope that calling attention to his life, which began so humbly but has proceeded to become so noteworthy, will serve as an inspiration for others from the Northern Mariana Islands. The lesson is well known, but not always applied: pursue an education—not just in youth, but throughout life, do your best, persevere, work hard. Your effort will be rewarded, just as it has for Mr. Leo Borja Tudela, and will benefit us all.

CHINESE DRYWALL

The SPEAKER pro tempore (Mrs. ROBY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Virginia (Mr. RIGELL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RIGELL. Now, imagine you worked hard and saved for a down payment of your own, a down payment on the American Dream. Imagine that you found the right place, secured the financing and happily started your life as a homeowner.

Now, imagine months later, though, that your house is filled with a putrid, rotten, egg-like odor that just permeates your home, makes your children sick with severe headaches and nose bleeds. Imagine the mounting frustration when the copper coils on your AC unit and your refrigerator corrode, develop leaks and have to be replaced again and again and again.

You ultimately have to move your family into a rental home and find out that the cause of all of this pain and grief is nothing other than defective drywall that fills your home and was imported from China. Madam Speaker, many of my constituents don't have to imagine that nightmare. They are experiencing it and living it right now.

Some have been dealing with this issue for more than 2 years without relief. Many are severely financially strained as they continue to have to pay the mortgage on the first home and then go out and find a second residence to live in and pay for both. Some have had their homes foreclosed on. Some have gone into bankruptcy. I have been in these homes. These people are hurting, our fellow American citizens.

And because our legal system is flawed, the manufacturers of the contaminated drywall that is coming from China are not being held accountable for a defective, dangerous product. Even if a judgment is made in favor of the homeowners, it can't be enforced.

That is not right. Homeowners' insurance and builders' insurance is not covering the damages. At the end of the day, who is left holding the bag? It's the owner of the home. This is not the American way.

Their finances are devastated, their credit ratings are ruined. Now I am working with a bipartisan group with my colleagues doing everything we can on the Contaminated Drywall Caucus to forge a better path for our fellow citizens.

We have had hearings, we have met with the Consumer Product Safety Commission, we have written letters to the President. We have asked for assistance from the United States Trade Representative, but it's not enough. We must, we must hold the Chinese manufacturers accountable for the defective products they shipped to our Nation and that fill our American homes.

So I call on the committees of jurisdiction to hold hearings, to investigate and move forward some practical solutions to this problem that is hurting so many of our neighbors.

Madam Speaker, I yield back the balance of my time.

ILLEGAL IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Alabama (Mr. BROOKS) is recognized for the remainder of the hour.

Mr. BROOKS. Madam Speaker, according to a 2009 study by the Pew Hispanic Center, 7.8 million illegal aliens hold jobs in America. Madam Speaker, there is a sure-fire way to create jobs now for American citizens: evict all illegal aliens from America and immediately open up millions of jobs for unemployed Americans.

The eviction of illegal aliens from America has the side benefit of eliminating the abundance of cheap, illegal alien labor which, in turn, forces blue color wages up, thus helping American families afford and pursue the American Dream.

□ 1930

Unfortunately, Madam Speaker, there are those in Washington who chase a different dream, a class warfare nightmare, that pits unemployed Americans against illegal aliens in a competition for scarce jobs.

The White House and too many Members of Congress seek amnesty for millions of illegal aliens, thereby legitimizing criminal conduct and depriving American citizens of job opportunities.

Madam Speaker, Congress and the White House must create jobs now for American citizens. We can and must fight for American citizens, not turn our heads the other way, which gives illegal aliens preference over American citizens.

But the issue of illegal aliens is greater than just jobs and better incomes for American citizens. Illegal aliens crowd our hospital emergency rooms, delaying treatment for Americans and driving up health care costs because too many illegal aliens don't pay their bills. Too often, illegal aliens get free health care on the backs of our already stressed American taxpayers. Illegal aliens also do not produce enough in tax revenue to pay for our schools; yet illegal alien children overcrowd our schools, thereby reducing the quality of education for American children.

Illegal aliens commit horrendous crimes against American citizens, crimes that strain State and Federal judicial systems, police and sheriff departments, and prisons that are already overcrowded and in a financial crisis.

Supreme Court Justice Sandra Day O'Connor, in one of her last Supreme Court opinions, wrote in 2005 in Medellin v. Drake, that: ''In 2003, over 56,000 noncitizens were held in State prisons. Noncitizens accounted for over 10 percent of the prison populations in California, New York, and Arizona. As of February 2005, 119 noncitizens from 31 nations were on State death row.''

Madam Speaker, so that I am clear, let me emphasize that death row is not just for any kind of murderer. Death row is for murders where victims are tortured or raped before killed. Death row is for murders where multiple citizens are killed. In sum, death row is reserved for only the most heinous of murderers.

Hundreds if not thousands of Americans are dead today because the United States Government has been derelict in its duty to protect American citizens from illegal aliens.

For example, in my home of Madison County, Alabama, population roughly 300,000 people, we have had more American citizens killed or murdered by illegal aliens than we have had lost in combat in Iraq and Afghanistan combined. Madam Speaker, let me share with you a personal story that happens to have happened in Huntsville, Alabama. But, the truth be told, similar events have likely happened throughout America.

On April 17, 2009, a 19-year-old man in my hometown of Huntsville by the name of Tad Mattle was needlessly killed by an illegal alien who has since been convicted of murder and sentenced to 15 years in prison, at a cost to Alabama taxpayers well into the hundreds of thousands of dollars.

So that we are clear about the illegal alien's conduct, he was drunk. He was wanted for crimes in several States. When he murdered Tad Mattle, he was fleeing the scene of yet another crime. What had Tad Mattle done wrong? Absolutely nothing.

Tad Mattle was driving home from a church social with his girlfriend. He was lawfully stopped at an intersection not far from my own home. After everything was said and done, at the end of an illegal alien crime spree, both Tad Mattle and his girlfriend were subject to force trauma and burned beyond recognition. Both died.

Why did this needless crime occur? Why were these two young person's lives snuffed out? Because our American Government has steadfastly failed and refused to protect American citizens from illegal aliens.

Madam Speaker, please let me share with you information about Tad Mattle, told in the words of his grieving father, Dan Mattle:

Tad Mattle was the first child of Dan and Terri Mattle, born on November 8, 1989, in Florissant, Missouri. Tad was very curious and enjoyed figuring out how things worked. Shortly after his parents installed safety locks on all of the cupboards, he figured them out and then taught his little brother how to defeat them.

He loved to play outside in the dirt and loved the water. He enjoyed trying different sports. More than anything, however, he loved building and creating. To the frustration of his parents, he would scatter Legos all over the floor as he created ships, starships, and airplanes. On family vacations, he reveled in the sand as he built sand castles. When he was 8 years old, he helped his father rebuild an engine on the family truck.

At age 9, Tad Mattle and his family moved back to Huntsville, Alabama. Being very social, he quickly made new friends at church and school.

In Cub Scouts, he achieved the Arrow of Light award. In his last year, he won the Pack Pinewood Derby Contest. In middle school, Tad joined the Boy Scouts and joined the school band as a percussionist. Tad thoroughly enjoyed making music, and he kept switching between first and second chair with one of his friends.

During a scout trip in this period, Tad went caving with his father. By the time he was 13, he was a qualified vertical caver. By age 14, he had achieved a prestigious award among the caving community by completing his ''Vertical 8.''

In high school, Tad Mattle became heavily involved in the marching and symphonic bands. In his last 2 years, he served as the percussion section leader.

Tad also pursued an advanced diploma by taking advanced placement science and math classes. In addition

to these activities, he continued serving the community through Boy Scout and church youth group service projects. With his troop, in which he served as a leader, he participated in many different activities.

On a Boy Scout troop hike on the Appalachian Trail, Tad helped maintain morale with his goofy sense of humor. Tad is especially remembered for his Julie Andrews impersonation as he skipped down a meadow on Siler Bald, wearing a 40-pound backpack, while the troop sang ''The Sound of Music.''

Tad was very excited when he became old enough to drive. He wanted his own car, so he took a job to earn money for it. He bought a neglected Toyota Supra that cost only $475. He spent the next few months restoring it to running condition. In his junior year of high school, Tad took an auto body collision repair course and completely restored the body of that car. He was so proud on the day he brought it home from the paint booth. He took meticulous care of that car and never abused it because he did not want to destroy all of his hard work.

During his senior year of high school, Tad achieved the rank of Eagle Scout. For his Eagle leadership service project, he chose to rebuild a boat dock at the Madison County Boat Harbor on the Tennessee River. The original dock was a hazard to users due to warped, splintered, and rotten boards. Tad's leadership resulted in 190 man-hours of volunteer labor that saved the county thousands of dollars.

In 2008, Tad graduated from high school with an advanced diploma. His dream was to work in an auto body collision repair and open his own shop. As he worked the following summer and winter, he realized that an education would be necessary to fulfill his dream. Tad applied to the University of Alabama in Huntsville, and with his excellent top 1 percent ACT score of 32, he was quickly accepted. On April 14, 2009, just 3 days before his murder, Tad received a letter awarding him the UAH Presidential Full Scholarship which covered all tuition for his mechanical engineering degree. Tad was so excited as he read this letter to his parents that night.

Three days later, on April 17, his father's birthday, Tad attended a church social with his family and girlfriend. After the social, he and his girlfriend headed to her cousin's house to watch a movie. While stopped at a traffic light, Tad's car was rammed by a truck driven by a drunk illegal immigrant who was fleeing from the police. Tad and his girlfriend were killed instantly, which was a blessing because the impact ruptured the gas tank of the car Tad had so meticulously restored and burned the two beyond recognition.

There were no skid marks from the drunken driver's vehicle, and accident investigations indicated the truck impacted between 67 and 72 miles per hour, almost double the legal speed limit. The illegal immigrant responsible for this crash had seven different aliases, had four different DUI arrests, and was wanted by at least four other States for misdemeanors and felonies.

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According to police records, he was to have been deported in 2001. Let me reread that part for emphasis. The illegal immigrant responsible for this crash had seven different aliases, had four prior DUI arrests, and was wanted by at least four other States for misdemeanors and felonies. According to police records, he was to have been deported in 2001.

Tad left behind a family that still mourns his loss. His brother and sister have dealt with depression, nightmares, and guilt. His mother still deals with days of depression. This loss was completely unnecessary but occurred because of a failure by the Federal Government to perform its duty to protect legal citizens' rights to life, liberty, and the pursuit of happiness. As Tad's father, all I ask is that the government perform its Constitutional obligations to its citizens to prevent other families from experiencing this same nightmare.

Madam Speaker, Tad Mattle's tragic story is one of many that I could tell here today, and his story illustrates so clearly why the Federal Government must stop being derelict in its duty to ensure the safety and security of American citizens.

There are many Tad Mattles in America, each and every one of them victims of crimes that could have been prevented. In that vein, I introduced the Jobs for Americans Act. It empowers State and local governments to help the Federal Government by passing laws that identify illegal aliens, deter illegal aliens from entering the United States, apprehend illegal aliens, or encourage or otherwise cause illegal aliens to leave the United States.

States aren't asking for another Federal handout. They're asking for freedom from Federal interference. They're asking for the freedom to protect their citizens' lives and livelihoods. This act ensures that the Federal Government will appreciate, not punish, States that do the hard work of enforcing our laws.

Madam Speaker, when States like Arizona, Alabama, Georgia, and many others act to stop illegal aliens, they should be given letters of appreciation from Washington leaders for doing Washington's job. Instead, they receive lawsuits from the President's Justice Department. That is wrong. And the Justice Department's conduct will only victimize more American citizens.

Madam Speaker, my Jobs for Americans Act prevents these wasteful Justice Department lawsuits against States that are only trying to protect their citizens from illegal aliens and the Federal Government's dereliction of its duties.

Today, I ask my colleagues to join me in supporting American jobs. The Jobs for Americans Act does just what it says. It returns jobs to the American people. Its premise is simple. If the Federal Government won't do its job, it should get out of the way for States and those who will.

At this point, I yield to my good colleague from Alabama.

Mr. ADERHOLT. Madam Speaker, I want to congratulate the gentleman from Alabama, my colleague in the Fifth Congressional District, for organizing this tonight. We are all here tonight to discuss what America is facing, and that is a self-imposed security crisis.

The main concern is that it appears that the administration is ignoring its responsibility to enforce our Nation's immigration laws. For our security, economic well-being, and safety, immigration enforcement does matter.

Since the beginning of the current administration, we have seen decisions and policies that have denigrated immigration enforcement. It started with the identification of ''priorities'' where the Department of Homeland Security announced it would focus largely on removing only those aliens convicted of serious crimes.

More recently, Immigration and Customs Enforcement, or ICE, as it is referred to, issued guidance directing broad use of prosecutorial discretion. Let me explain how that works. ICE agents locate a fugitive who has been ordered to be removed. The fugitive is arrested in his apartment where four other people are present. ICE agents ascertain that all these individuals are illegal aliens, though they do not have an actual criminal conviction. Pursuant to ICE priorities, these individuals would not be arrested.

This process on whether to prosecute or not was intended to be exercised on a case-by-case basis, not by front-line officers directed to ignore the law, but by supervisors and attorneys looking at the law and the facts of a particular case and considering humanitarian concerns or national security interests. Now, front-line agents and officers in the middle of an encounter are being asked to essentially conduct an on-the-spot investigation.

Under the administration's policy, front-line officers and agents don't have much of a choice but to ignore the law and leave the illegal alien behind, unless the alien is a fugitive or has an actual criminal conviction.

Not only do we have memos directing front-line officers to ignore illegal aliens under the current administration, but we have committees second-guessing decisions officers, attorneys, and judges make. The Department of Homeland Security set up a task force of outsiders to tell the Secretary whether this policy should include ignoring illegal aliens encountered at traffic stops and those who would have drunk driving violations. The Department is also establishing a committee to review all 400,000 immigration proceedings, including for aliens with final removal orders, to decide whether

these illegal aliens should actually be removed.

This is the problem, and it leads to cases like the one that my colleague from Alabama just talked about, Tad Mattle. The new policy, in effect, refuses to enforce immigration law until, and let me stress that, until a serious, perhaps violent crime, has been committed. If immigration law had been enforced, Tad's life may have been spared.

Today, more than ever, our Nation's fiscal resources are constrained. Despite that fact, this body has made immigration enforcement and homeland security a priority. Congress, under both Republican and Democrat leadership, has consistently provided ICE with funds above those funds they have requested, and that's to ensure strong enforcement and security. Funds the Department of Homeland Security received at the hand of this Chamber should not be used to blatantly ignore the law or for the implementation of flawed and reckless policies that provide backdoor amnesty.

These memos and committees may allow millions of illegal immigrants to remain in the United States in violation of existing law and regulation and compete with unemployed Americans and legal immigrants working for scarce jobs.

While the Federal Government seems to find loopholes to keep illegal aliens who pose public safety threats in this country, States like my home State of Alabama are being prosecuted for attempting to take this problem into their own hands. Alabama and other States burdened with these issues shouldn't have to worry about Federal intervention. Alabama was the fifth State in this country to adopt laws addressing illegal immigration. The legislature of Alabama and the Governor have opted to act. Instead, the administration has filed a judicial action. The administration should take this as a wake-up call, a bold reminder of the Federal Government's duty to protect each and every American from being the victim of crimes that can so easily be prevented. The Federal Government should be working with States to ensure the safety of all Americans.

This is not a time for partisan politics. This is a time for a robust, coordinated effort to guarantee the security of our citizens and to protect our Nation's borders.

I thank the gentleman from Alabama for yielding.

Mr. BROOKS. Madam Speaker, I next recognize the gentlelady from Tennessee, Congresswoman DIANE BLACK.

Mrs. BLACK. I thank the gentleman from Alabama for yielding.

Madam Speaker, the tragic death of Tad Mattle that took place in Huntsville, Alabama, on April 17, 2009, serves as a sad reminder of the broken immigration system that we have here in the United States. We see stories like this in our local newspapers and on our local and national news. They're reminders that we have a serious illegal immigration problem in our country and the need to take action to secure our borders. As a member of the Immigration Reform Caucus, I believe that while we are a nation of immigrants, we are first and foremost a nation of laws. I'm a cosponsor of a number of comprehensive bills that would help combat illegal immigration. One bill, the CLEAR Act, would authorize State and local law enforcement to assist in the enforcement of the U.S. immigration laws, which means that they can investigate, apprehend, and transfer over to ICE officials illegal aliens in the United States.

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Another bill that I'm cosponsoring goes after sanctuary cities, denying State Criminal Alien Assistance Program funding for any State or local government that has in place any law, policy, or procedure that breaks Federal immigration law.

The SAVE Act is another great bill. The SAVE Act would increase Border Patrol and investigative personnel, encourage recruitment of former military personnel and use of Department of Defense equipment, calls on the administration to develop a national strategy to secure our borders and, finally, directs authorities to check against terrorist watch lists those persons suspected of alien smuggling and smuggled individuals.

Defense of our country and securing our borders is one of the primary responsibilities of government, and I believe that those who enter this country illegally are not only breaking the law, but risking the very security of this country.

I thank the gentleman for yielding.

Mr. BROOKS. Madam Speaker, I next recognize the gentleman from Georgia, Congressman ROB WOODALL.

Mr. WOODALL. I appreciate my friend from Alabama for yielding.

Candidly, I can't say it much better than my freshman colleague from Tennessee just did. We are a Nation of immigrants, and we are a Nation of laws. And my question is, When did it become so clear to everyone else that those things were in conflict with one another? Because when I look at it, it's not in conflict at all; in fact, it's in concert, in concert with one another.

It was hard to listen to the story that my friend from Alabama was telling because it's not a story that you only hear once. It's a story that you hear heartbroken families tell over and over and over again. It's a family in Alabama, it's a family in Georgia, it's a mom in South Carolina, and it's a grandmother from Indiana, and on and on and on.

What I want to know is, Who is it who's coming to defend that story tonight? Because I hear it in town hall meetings all the time, and I know my friend from Alabama hears the same thing: ROB, I want you to go up there and I want you to fight for what's right, and I don't want you to compromise. Well, I don't want to compromise on principle. There is absolutely no principle I have that I'm interested in compromising on. But what I tell folks back home is there's common ground. There's common ground where no matter where you sit on the political spectrum you can see your way clear to this path forward.

What I want to know from my colleagues—and I wish there were more of them in the Chamber tonight—and, again, I'm grateful to my friend from Alabama for putting this hour together—but where are the folks who oppose enforcing the laws? Where are the folks who believe that legal immigration is what we don't want and illegal immigration is what we do want?

Where are the folks who believe that when criminals commit crimes, they're not supposed to be prosecuted? Where are those folks defending that? Because what I see in my part of the world—and I'm there in the northeastern suburbs of Atlanta—what I see in my part of the world are people who are proud of our history as an immigrant Nation and proud of our future as an immigrant Nation.

I tell folks all the time I don't worry that people want to come to America. I worry about the one day people don't want to come to America. What happens when they want to take their big brain and their hard work ethic and their entrepreneurial ideas and take it to China or take it to India or take it to Brazil? I worry about that.

We have so many challenges, as my friend from Alabama knows, in terms of restructuring our legal immigration process. I am heartbroken that we spend even a moment arguing amongst ourselves about the necessity of shutting down illegal immigration now—not tomorrow, not a week from tomorrow, not after the next election cycle, today.

Of the few things that the United States Constitution empowers the Federal Government to do, requires that the Federal Government do, enforcing our border security is one; and we don't do that well. We have so many conversations down here, as the Speaker knows, about all the things the Federal Government should stick its nose into, as if we're going to do those well. What about the one the Constitution requires us to do, which is secure our borders?

For me, the untalked-about victim in the illegal immigration debate is the legal immigrant. Have you ever been to a naturalization ceremony? Do you have any friends who have been naturalized, who have earned the right to be a United States citizen? Wow. Wow. It's tears, but it's tears of joy. I wish we were teaching the same thing to our young people in schools that we're teaching to our immigrants in their citizenship classes, who are developing this deep and abiding respect for the rule of law and the American way of life.

And the victim, when we turn a blind eye to illegal immigration, is the legal immigrant who does it all right because they're the victim of the animus that comes out of this debate. They're a victim of the sadness. In fact, I will tell you, the angriest people—again, I come from the Deep South. A lot of folks have a lot of stereotypes about how it is in the Deep South. But I will tell you, the angriest people in my part of the world about illegal immigration are not the ninth generation white guy; it's the legal immigrants.

Somebody stopped me the other day and they said, ROB, if you ever pass an amnesty bill—which we never will do, just to be clear, never, ever going to happen, not while I'm here in Congress—give me my money back. You can't give me my life back; you can't give me back all the years and years and years I worked and I waited on the list and I waited patiently in my home country until my number came up, you can't give me that back, but I want my money back because it wasn't cheap. It's not. Being a United States citizen is advanced citizenship. It requires great commitments, as it is a great opportunity; and we treat it in this country as if it's a nothing.

As my friend from Alabama knows, there's another bill, introduced by my friend from Iowa (Mr. KING), called the Birthright Citizenship Act—and I'm a cosponsor of that act—that goes back to the 14th Amendment. It goes back to that time in this country when we were struggling with our national identity and says those born in the United States, under the jurisdiction thereof, shall be United States citizens.

As you tell the story, I say to my friend from Alabama, of someone who has been convicted of crime after crime after crime, of someone who has warrants out for their arrest across the United States, of someone who hasn't yet found a single American law that they have chosen to obey, I tell you that person is not under the jurisdiction of the United States, and births that are associated with that person do not give rise to citizenship in the United States.

But the courts have said Congress just won't decide on this; Congress won't take a stand on this. Well, STEVE KING of Iowa said, yes, we will. And I was proud to join him on that to define what is the greatest gift we have in this country, and that's the gift of American citizenship. I was born with it, and I'm grateful for it every day of the week, but we treat it like it's nothing. And I will say to folks who think that it's nothing, go to one of these naturalization ceremonies. Talk to your friends and neighbors who have worked for it and earned it, and they will tell you that it's something.

And in the army that we're developing across America to come and stand strong on the issue of illegal immigration, the army that's forming across America to say we are proud that we're a Nation of immigrants, but we're even more proud that we're a Nation of laws, that army is composed of legal immigrants of every stripe from coast to coast, from north to south. It makes me so proud because I think that's what America is all about.

I want to go back and say to the gentleman from Alabama, thank you for introducing the American Jobs Act. For folks who look those things up on TV, it's H.R. 2670, I believe; is that correct?

Mr. BROOKS. Yes.

Mr. WOODALL. Again, where are those folks? We're not talking about compromising our principles; we're talking about pursuing those things that are common ground. In this era of 10 percent unemployment, who are those folks who think that hard-working, taxpaying American citizens don't deserve that job first if they're willing to work for it? Who is that?

I'm sure that there has been an editorial or two in your local newspapers—if your newspapers are anything like mine—that have not reacted all that kindly to your decision to stand up and do what is right. But doing what's right is not always easy, and it's rarely appreciated in its time. It's often appreciated as history writes it. But who is it who believes that folks who have paid their taxes for a decade, who have been laid off in the middle part of their life, who can't afford to send their kids to college, who can't afford to buy medicine for their wife? Who are those people who believe that those folks don't deserve first crack at that job? First crack.

□ 2000

We have a legal immigration process in place in this country that will allow you to come here the right way, get a green card the right way, and apply for jobs just like everybody else. Folks do it. Do it, and I welcome you.

But in this era of unemployment, who are those folks who defend this practice of illegal labor? I will tell you, it's not just the folks who go to work. It's the folks who employ those folks who go to work. This is not about illegal immigrants alone. This is about those businesses that hire those illegal immigrants.

A crime is a crime here in this country. They're not all the heartbreaking crimes that my friend from Alabama has described, but they are crimes that have consequences. These are not victimless crimes. Illegal immigration is not a victimless crime.

The victim could be that American who can't find a job to support his kids and his family. The victim could be that school district that can't afford to sort out how those classes are going to go, that can't afford all the teachers, but has an increasing workload because of the children associated with illegal immigration today.

The victim could be that health care system that can't treat folks as they'd like to treat them, doesn't have enough money to deal with the community as it is, and the burden keeps growing and growing and growing. It is not a victimless crime.

In terms of finding common ground, I looked at my friend ROB BISHOP's bill. ROB BISHOP is from Utah, and he's introduced H.R. 1505, the National Security and Federal Lands Act.

Now, the preposterous things that we discuss here in Washington, this is one. Look it up for yourself. H.R. 1505, what it does is it changes the law, changes the law so that Border Patrol agents can access areas of the border. Hear that. There is a bill in this Congress to change the law so that Border Patrol agents can get access to the border. 4.3 million acres of border designated wilderness along our southern border, and in those areas the Border Patrol can't use motorized vehicles, can't construct roads, can't even install security and communication apparatus. Hear that. Hear that.

The law of the land in America today is that the Border Patrol agents cannot patrol the borders. H.R. 1505 will change that, and I hope we'll pass that here.

I want to say finally to my friend from Alabama, you and I are both new here. I've only been here 9 months, and I'm learning something every day here. I was more than a little bit surprised when the administration came out and said, no, it's really not whether or not you're illegal; it's whether or not you're illegal and when we make our decisions about whether or not to deport you.

But what I learned in that conversation is that we have a backlog of deportations in this country. When we talk about funding priorities in this country, for the last 9 months I've been focusing on funding the Border Patrol. I thought what we needed were more boots on the ground, and I still believe we do. But what I have learned from the administration is we also need more bottoms in the seats in immigration courtrooms across this country. We may need more immigration judges. If we don't have enough people to process all the deportations that are in line, what we need is not to stop the deportations; what we need is to hire more people to process those deportations.

I tell you, I'm a small government conservative. You're not going to find many government programs that I want to come down here and spend money on. But again, the Constitution has given to you and me the responsibility of enforcing this part of the law, has given us the responsibility of securing our borders; and if what it takes to be successful is spending more money to hire more immigration court judges to fill more buses to comply with more of the law that is, in fact, the law of the land, then I'm prepared to do that.

I appreciate the administration, again, for educating me in that way, because I had no idea that we were so successful at identifying folks and we

just weren't successful at finishing that deportation process.

So I say to my friend from Alabama, again, I so much appreciate his leadership on this issue. I am a proud supporter of the Jobs for Americans Act. I look forward to bipartisan support on that act because, again, we're not talking about asking anyone to compromise their principles. We're asking people to celebrate that we are an immigrant nation and that we are a nation of laws. And I tell you, I don't want to live in a nation that is willing to give up on either one of those, and we don't have to.

I thank my friend.

Mr. BROOKS. Madam Speaker, I want to express my thanks for the eloquence of Congressmen ROB WOODALL of Georgia, DIANE BLACK of Tennessee, and ROBERT ADERHOLT of the State of Alabama.

I pray that the American people and Washington, D.C., will be mindful of the loss of Tad Mattle, the suffering of his family, and the sufferings of hundreds, if not thousands, of other Americans under similar, yet difficult, circumstances, all brought about because our Federal Government is derelict in its duty to protect American citizens from the conduct of illegal aliens.

With that, Madam Speaker, I yield back the balance of my time.

AMERICAN JOBS ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Madam Speaker, thank you for the opportunity to discuss employment, or lack of employment here in the United States.

We just listened to a discussion about the problem, and certainly immigration is a piece of the problem. But in the whole totality of the extraordinary unemployment in the United States, it is but one piece. The solutions to the crisis that faces America and Americans is way beyond just the immigration policy.

I would hope that my colleagues from the Republican side would work towards a comprehensive immigration reform program, one that certainly will deal with the border and security on the border, although I think much of what was said earlier is overblown.

And dealing with deportations, I would point out that the current Obama administration has deported more people in the last year than in the entire 8 years of the Bush administration.

Much needs to be done. A comprehensive immigration policy needs to be put in place. But if it were in place today, the unemployment in this Nation would not be solved by that alone.

There is a solution that's at hand. There's an opportunity for this Congress to act immediately to bring back American jobs, to put Americans back to work. It's the American Jobs Act.

A week ago, a little more than a week ago now, the President stood before a joint session of Congress here in this Chamber filled with Democrats, Republicans, Senators and Members of Congress, and he presented to us a comprehensive program to put Americans back to work. I want to discuss that tonight and also pick up the issue that he raised yesterday about how we do that, how we put Americans back to work and, in the next several years, bring the deficit under control and put America's financing back in shape.

It's the American Jobs Act, a very comprehensive proposal, a very bold proposal, and one that would actually, not by his estimate but by the estimate of independent economists, employ some 1½ to 2 million Americans immediately. And I'd like to tell you how that might come about if this House were to pass the legislation.

□ 2010

We know that for America to succeed both in the short term and the long term, it's not only about going back to work, it's also about critical investments.

Over the weekend, back in my district in California, the East Bay area of San Francisco Bay and up into the Central Valley, I had the opportunity to talk to teachers, teachers who were very concerned that given the financial situation in California, that they were going to be laid off, and generally it's the new, the young teacher that has only been there a little while that's given the pink slip and sent on down the road.

This is a personal issue in my family. My daughter and son-in-law are teachers, and their class size has already grown from 20, 21 to 34, 35 in the second-grade class. A very difficult teaching situation. Yet, more layoffs are likely to occur.

One of the fundamental investments that needs to be made in any society that wants to grow, that wants to prosper, that wants to have social justice is the education of the young, and in the case of the United States, with the extraordinary number of unemployed, some 12 million to 14 million, and underemployed, perhaps another 10 million, it's the reeducation of those that have already been in the workforce. So a key investment is education. In the American Jobs Act, the President has proposed a very strong, vibrant, and necessary program to keep teachers in the classroom and to bring teachers back into the classroom. He's proposed that we fund 280,000 teaching positions across this Nation. Now, that's a huge number of teachers, many of whom have already been laid off and did not arrive for this fall school year. We can put them back into a classroom as soon as this Congress and the Senate passes the American Jobs Act. It's about $30 billion, $35 billion to do this.

Is it money well spent? Well, if you want to consider investments in the most critical of all the things that a Nation does, it's the education of their children. This is an enormous and the important factor in building the future of America and simultaneously putting people back to work.

When these teachers go back to work, that cycles money into the community. So the grocery store, the arts store, programs that require books and pamphlets and so forth, all of those things will begin to be circulating in our community.

So this is one of the key programs that the President has proposed, the American Jobs Act—fixing our schools, putting teachers back to work. And that is a critical investment.

If I might just put up another way of describing this.

If you really care about America, and you want to have a better America, then we simply have to invest in America. There are numerous ways we can do it. We talked about the education programs, and that's certainly one.

This is another one here that relates to education. I don't know if you can see this, but that's a young technician in a laboratory, perhaps in a hospital or quite possibly in a program, a new business like I saw in Davis, California. It's a biotechnology firm that actually produces herbicides and pesticides that are taken out—well, first discovered in the environment. These may be bugs, these are a fungus, these are bacteria that exist naturally in our environment that in one way or another kill bugs or kill unwanted plants.

So they're discovering these, they are then understanding the chemical, the biological nature of it, and then mass producing these biological pesticides and herbicides.

Two things they need. They will eventually go out with an IPO so they'll need capital, and that's another piece of what the President is proposing. But they also need technicians in the laboratory. In going through this particular lab, I said, How is your employment? The owner of it said, Well, we're at 90 employees now. We're 2 years, 3 years old, and we need to grow, but I can't find the technicians.

In the President's program there is a specific reeducation program that's available for young men and older men and women that want to learn a new technology, a new trade, and that's the technicians here, so that they can fill those four immediate openings that exist in Davis, California, for lab technicians.

Similarly, the community colleges will be able to receive the Pell Grants and the grants and loans for the first time ever to provide money so that these people can go to work.

There is yet one other program, and we'll get to the construction here in a little while as we go through this.

One of the key aspects of the President's jobs program is the fact that we have about 3 million, almost 4 million men and women who have served in the Iraq and Afghanistan theaters. Many of

those are still there but most have come home.

When they leave the military, they have one of the highest unemployment rates of any group in the United States. This is simply wrong. These are men and women that have served this Nation heroically and in considerable danger, and in many, many cases having suffered grievous injuries.

We need to pay special attention to them and recognize that they have acquired some very, very important skills. They know how to work, they know how to show up on time. They know how to take instructions. What they don't know is how to be a lab technician, and they don't know that there are job opportunities out there.

So the President has proposed a special program to encourage American employers, for example the biotech firm that I discussed earlier, to reach out to veterans. There is a $5,600 tax credit. This is not a deduction. This is right-off-the-bottom-line taxes, $5,600 for any company that has less than $50 million of payroll to hire a veteran returning from the wars. It's incredibly important and the right thing for America to do.

The other thing, and this is even, I think, more—well, just as important and perhaps more important. This $9,600 tax credit—again, this is a reduction in an employer's taxes of $9,600 for each wounded veteran, disabled veteran that has returned from the wars. We only need to look at the photos that are too often in our newspapers about post-traumatic stress syndrome, about the men and women who have suffered grievous injuries of one sort or another. But if an employer is willing to reach out, they will be able to receive a $9,600 tax credit for those wounded warriors.

These are America's heroes. These are the men and women who should be first in our thoughts and first in line.

This can be combined with the educational programs that I discussed earlier so that as these veterans come back, they have the opportunity to learn a new skill, perhaps as a lab technician, and carry on and work through with a good career ahead of them that has enormous upside potential.

□ 2020

Once you're in these high-tech businesses and the laboratory is there, the opportunity to go on and get additional education and additional pay and benefits is clearly before you.

So this is one of the other aspects of the American Jobs Act. It's good for employers. They need an employee they can deduct off their taxes. It's $5,600 by hiring a veteran or $9,600 for hiring a disabled veteran. It's a very good, a very, very solid program in the American Jobs Act.

It doesn't stop there. Let me bring up one other item that I think we should really be focusing on.

I said earlier I'd come back to this issue of the construction worker over here. The unemployment in construction is probably well over 30 percent. In some parts—and I know this is in California—it's in the range of 50 percent. So the men and women who are in the construction industry have suffered enormous unemployment, in part because of the housing market, in part because of the cutback in State and local government expenditures.

But in the President's American Jobs Act, there is a critical investment for this Nation, and that is the investment in the infrastructure. A big word. Most of us now know it. Infrastructure are roads, airports, water systems, sanitation systems, and even the modern communication systems, not of telecommuting, but of various kinds of microwave systems and other fiber optic systems. All of those are modern infrastructure.

Now, across America, we have allowed our infrastructure to deteriorate. Our bridges are in bad shape. More than 60 percent of the bridges in America need to be repaired and made stronger. There are earthquake standards that are not met. Virginia wasn't thinking too much about those until about a month ago, and then suddenly Virginia began to think about earthquake standards. I will tell you that this building—this Capitol—was built a century or more ago, and they weren't thinking about earthquakes at that time.

All across this Nation, the infrastructure needs to be modernized; it needs to be brought back up to speed. So the President has proposed a $50 billion sum of money immediately available for the infrastructure of the Nation—bridges, roads, airports, the infrastructure of the modern communication systems. All of that is immediately available and, in addition to that, a very innovative—and I think a very important—idea called an ''infrastructure bank.''

An infrastructure bank has been talked about for a long time. Europe has had one for more than two decades. What it is is an initial investment by the government and then an additional investment by public pension funds, by individuals. That infrastructure bank operates just as a commercial bank does. It's not a bunch of pork barrel projects by me or any of my colleagues but, rather, projects that are brought that are cash flow. They are able to repay the loans, repay the loan guarantees, and perhaps, depending upon the structure of the proposal, are able to get a grant of some sort. That could turn into another $50 billion very, very quickly.

I know that, out in California, CalPERS—the big public pension fund—has already said they're going to commit $800 million to infrastructure in the State of California. With an infrastructure bank in place, such as the President has proposed, they may put in $2 billion, $3 billion, $4 billion. They certainly have the money.

Now, in this House, my colleague from Connecticut, ROSA DELAURO, has pushed the infrastructure bank for several years, but has gotten no traction from our Republican friends. At the same time, several Republicans have signed onto that infrastructure bill, so it is bipartisan and bicameral, as the Senate has a similar bill on that side.

This is something we can do immediately. This is not new science. This is not a new program. It's a program that has been around a long time, that is not yet in law but that has been fully vetted; and it can happen very quickly as soon as the American Jobs Act is passed. If that happens, we'll be looking at at least $50 billion for infrastructure projects and quite possibly much more than that if the infrastructure bank comes along.

Let me take up one other aspect of this program. There is not a community in America that has all of its public schools as neat, as well painted and as well conditioned as a community would want. In fact, in many of our communities, our schools are an embarrassment. They're rundown. The paint is chipping off the walls. The playgrounds are in disarray. The toilets don't work. The lab is a 1950 laboratory. There are no Internet communications within the school.

The President has proposed about a $25 billion to $30 billion program to renovate America's schools, to take those schools that are rundown whether they are in rural areas or in urban areas. Schools that are rundown, schools that are in need of rehabilitation, remodeling and upgrading would be in line, and it's calculated that there are 35,000 schools that could benefit from this program.

Now, who's going to do the work? These are new jobs—these are new job opportunities—and much of this work is not of a very high skill but, rather, of a skill that could be met by many of the unemployed. So this is cleanup. It's painting. It's the other kinds of work that may not require the highest of skill levels, but that is one of the additional programs that's available and is a key infrastructure program. So, as we go through these various elements that the President has proposed in the American Jobs Act, we will find the opportunity to put Americans back to work.

I notice that my colleague from New York has joined us; and we'll begin, once again, the east coast/west coast.

Earlier on, I talked about the education program. I talked about the veterans programs that the President has proposed, and I'd gotten into the infrastructure. We have yet to hit the unemployment and some other areas, but take us wherever you want, Congressman PAUL TONKO from the State of New York, the birthplace of the Industrial Revolution. We haven't talked about Making It in America yet, which is one of your favorite themes. So please, Mr. TONKO, share with us your thoughts.

Mr. TONKO. Absolutely.

Representative GARAMENDI, thank you. Thank you for leading us again in

another very thoughtful hour of discussion about the importance of deciphering the facts out there that will springboard the comeback—the economic recovery—of this Nation, and it must be done with the deepest and most profound sense of academics. The American public is counting on Congress working with the President to make jobs more abundant in our society.

You talked about skills and the development of skills. Recently, during our district work period, I traveled to Schoharie County in my district and saw the benefits of the investment of automation in manufacturing. I was reminded by Wynn Kintz of Kintz Plastics that it's important for us to develop the skills that are required today in manufacturing. He's involved with a CAT center—a center for advanced technology—in the Capital Region. He works with RPI and other institutions. He works with the private sector community in that compact that really puts together the vision and the need, the compact that expresses the need for manufacturing.

Now, there are those who would suggest that manufacturing is dead, that we've seen our heyday, that it's over, that it's history. Well, when you talk to America's manufacturers, they will tell you that they need to develop the human infrastructure, that they need today's skills to meet today's competition. They will tell you about doing it smarter so as to be that sharpest competitor on the global scene, and they will talk about innovation.

Just how does innovation happen?

It's taking ideas and moving them along, investing in R&D, building a prototype, developing that impact in manufacturing, and making certain that we are at the cutting edge, that we're investing with America's brainpower—its know-how—that we're pulling together the intellectual capacity and making it work; but when we introduce innovation, we need people with the skill set to run these automated mechanisms in the manufacturing line.

□ 2030

So it is absolutely essential, it's so vitally important to develop the skill set, the know-how in order to put people to work and make us competitive. It's happening as we speak.

Mr. Kintz advised me that across this country, from my end of the country to your end, Representative GARAMENDI, we need skilled labor of the newest kind.

I can tell you, there are many people who have been displaced from the workforce through no fault of their own. Their job may have been shipped offshore. They have a high work ethic, they have tremendous skill, but now it needs to be honed into present-day application, training, retraining, enabling us to advance innovation, advance manufacturing. These are important aspects to the work that needs to be done.

In the Make It In America efforts where we enable people to dream the American Dream, where we cultivate that climate where you can tether to the American Dream, we can introduce the source of policies that it takes to advance Make It In America.

The President has done that with his American Jobs Act. We, as Democrats in the House of Representatives, have made it our mantra over and over again stating ''make it in America,'' and that takes on tremendous meaning. It takes on a variation of meanings. You can make it in America, produce it in America. You can make it in America. You can survive and grow economically in America.

There's all sorts of making it in America themes that are interpreted through that statement. And it does incorporate sound trade policy. It incorporates an investment through incentives that provide the tax initiatives that will enable people to be strong. It takes that energy core ingredient, gives us the opportunities to be innovative in the energy costs, which could shave a tremendous amount of price off the final product: labor, investing in the human infrastructure, education from pre-K, from pre-K all the way to advanced degrees.

We need to invest in education, higher education and research. Without cultivating ideas, without inspiring that sort of genius that comes up with very clever concepts, we are nowhere as a society.

Finally, the infrastructure, putting together the sorts of efforts that will enable us here at home to ship our products, to have the infrastructure not only of the ordinary, traditional type, but to invest in broadband so that communications could be state-of-the-art, so that we invest in a grid system that enables us to reach through the arteries and veins of the network, the transmission and distribution networking, making certain it's state-of-the-art.

We saw what happened, did we not, in August of 2003 when a failure in Ohio put out the lights on Broadway in New York City and impacted my district in upstate New York for weeks upon weeks.

These are the factors, these are the motivating disciplines within our efforts to enable us to boldly say that's a Make It In America initiative. We're going to make it happen. We're working really hard. We're proud of the efforts made by the White House. It's a plan. It's a vision, laser sharp in its focus, on putting people back to work, restoring the dignity of work.

We've talked about it, gathering around the table, the dinner table at home. It's so very valuable when we can talk about having people bring home that paycheck. People have been denied that opportunity in far too many homes—14 million Americans, unemployed. They ought not wait 14 months for Congress to work with this President to get something done.

I'm just happy to join you on the floor of the House of Representatives and thank you for the leadership that you exert on this issue.

Mr. GARAMENDI. You also, Mr. TONKO. You have been here night after night with the same theme, the Make It In America theme. You went through these so very, very well, a trade policy that really positions America to once again be the manufacturer for the world.

Tax policy, we've done a lot on tax policy already. Let me just mention two things. One we did last year. Unfortunately, none of our Republican colleagues were with us on that, but at that time the Democrats had the majority. We eliminated about $12 billion of tax breaks that American corporations received. Our tax money was given to those American corporations for shipping jobs offshore. What? You mean they got a subsidy for shipping jobs offshore? They did. We ended it. So those are the kinds of tax policies we're talking about.

Now the President has proposed a continuation of another tax policy that we put in place last year. He wants to continue it as part of the American Jobs Act, and that is to give a business the opportunity to expense in 1 year, in 1 year, the cost of capital equipment so that it's not depreciated over 7 years. That's an enormous advantage for a business to make the capital investment.

Now, there is one thing that I would add to that. The President said it, but it wasn't specific to this, and that is that that capital equipment, that that lathe, that that welding machine, that that saw, whatever it happens to be, or the cultivator, the tractor out in farm areas, that that be an American-made piece of equipment, that the equipment be made in America. Because, once again, we're using our tax money to subsidize the capital equipment when I want my tax money to be used for American-made equipment.

And, in fact, guess what? I've got a piece of legislation—I got so excited, you will have to forgive me, but I have a piece of legislation that does just that. It couples up with what the President's been talking about. He talked about American made, that we buy American. Well, H.R. 637 says for that construction, for that infrastructure, airports, highway, high-speed rail, trains, et cetera, that they are made in America. These are opportunities for all parts of America, and it works. It works.

Mr. TONKO. Let me share a perspective with you, Representative GARAMENDI. And I know we've talked about this, but we'll share it for the sake of those viewing the discussion this evening on the House floor.

My district has been severely impacted by the ravages of the waters of Irene and then with the one-two punch, if you will, when the Tropical Storm Lee wreaked devastating damage upon the upstate New York area, certainly

in Pennsylvania and in Massachusetts, in Vermont, in Connecticut, to name a few, and then even into the Southeast with the Carolinas.

But if ever you wanted to see a snapshot of change from just hours' worth, people were disconnected from their neighborhood, farmers who had to pour milk into the waters, the ravaging waters, because they had no connection to the outside world, roads wiped away by the force of water, bridges discontinued, rail systems knocked out, rail stopped until they could reconstruct that rail line. That pointed out with such significant measure, in such significant measure, in very bold terms, the value of infrastructure.

This screeching halt to a regional economy came about through the forces of Mother Nature, and it just brought into clear vision for me just what this infrastructure debate is and how folks can ignore the value of infrastructure on this House floor and want to do political games on an idea that really talks about shipping freight across this country, shipping the essential materials for our manufacturing lines across this country. Infrastructure is that major artery. It's the lifeblood flow into our communities that enables the economic comeback to truly be that noble, bold approach, infrastructure, and to put together in the American Jobs Act an infrastructure bank bill that allows us to place $10 billion that will leverage, we believe, $100 billion that then enables all sorts of constructs to occur and puts together a working plan for America's skilled labor. It is a powerful expression of job creation, job retention.

It's what really is the pulse of America. It is that heartbeat of activity to our roads and bridges and rail system and airports that really tells the true story.

Mr. GARAMENDI. We can rebuild America, and we're certainly going to have to rebuild your part of America. You and your constituents in upper New York and in Vermont were devastated by Hurricane Irene, floods that had not been seen, perhaps, in the entire modern history of those areas. So that needs to be rebuilt.

But you are quite correct about the rest of the Nation. San Francisco Bay Bridge went down in the 1989 earthquake, the Loma Prieta earthquake, and devastated the economy of San Francisco. Freeways collapsed.

So we know that we need to build to a higher standard and we know we need to repair. These are American jobs that are readily available today. And when we couple it with the American-produced cement and steel and equipment that's American made, we will generate a new resurgence of America's manufacturing industry. It can be done. All we need is a vote of this House. All we need is a vote on the President's American Jobs Act.

□ 2040

It's all there. The Buy America, Make It in America is there. The construction jobs are there; the education is there; 1.5 million to 2 million Americans going back to work the day or shortly after the President signs that legislation. This is really an opportunity. And to sit here and to waste time, it just seems to me to be a tragedy.

We need help in Vermont. We need help in New York. Your people do. They have been devastated. And yet that bill hasn't even passed this House to provide the money for it. We have to do it. It's up to us. This is our task.

Mr. TONKO. It is. I think it highlights exactly the concern that many of us have in terms of the response to what is—what has pretty much rendered some areas of our country to be acknowledged almost as a war-torn area where craters have been created by the force of water, where roads are no longer in play, where businesses have been shut down, where homes have been lost totally to the waters, to the rivers that flow in their communities. And when you look at that devastation, you would think that the first thing we would do is respond in earnest and quickly and with a depth of acknowledgment that appropriates resources to get things going again.

Well, our farmers need assistance, and they're not getting it through the response here with the concurrent resolution. It's a trade almost that we are asked to make about offsets that we can find. These are people that are looking for their children's school clothes in the rubble. They're searching for pictures of grandparents to have something to cling to in the aftermath of that devastation.

They are wondering if they will ever open their business again, and we're not responding fully. We're looking for ways to cut so as to slide dollars over. Are you going to cut that youngster who now has no home? Are you going to cut her education? Are you going to cut his health care? Are you going to disavow any need for public safety?

These are the efforts, these are the challenges that when America reviews the process, it gets cynical, and I understand the cynicism. There's a lot of concern about stepping up to the plate and showcasing for America what effective government is all about. This is what my district is looking for right now. And when they hear about this expression of offsets, I know people in my district, I have known them for years, they are like extended family after 3½ decades of representing them at some level of government.

And I know their philosophy may not be my political philosophy, but they are angered about the talk of offsets, as they have to look for new homes and look for shelter and for food and clothing. They are angry to hear about this offset. They are angry to hear about the total disavowing of ag assistance when now they have to rebuild their fields, clear it of debris, and re-create the watershed areas that they need. These are urgent measures, and they are not going to be tolerating any sort of political gamesmanship.

Mr. GARAMENDI. If I might just add, I was the insurance commissioner in California twice, first in the early 1990s, and then again from 2003 to 2007 or 2008. During that period of time, we had many emergencies in California. We had fires and earthquakes, and always we could count on the Federal Government immediately providing assistance. Sometimes fast, tens of millions, hundreds of millions, of dollars made available immediately to rebuild. And it was never, never a question of having to take money away from an existing program so that aid could be brought to California.

When the hurricane went through New Orleans, nobody said, well, we're going to take care of New Orleans and we're going to cut education or we're going to cut research. They simply put the money together during the Republican, the Bush period, to rebuild New Orleans. And that was a multi-billion-dollar project.

Now here we are with these disasters in the Northeast. And our Republicans are demanding an offset, that is, in order to provide money to rebuild the Northeast, we're going to have to cut out the research for advanced auto technology. This is the future of the American auto industry. This is how to build a better electric motor for a car, a better battery so that we can make those things in America rather than importing them from China or Korea or Japan.

The opportunity for America's auto industry to advance with more fuel-efficient cars, all of that will be pushed aside for the first time in anybody's memory here. And some people have been here 50 years. Never before was an offset required, particularly one that would harm the future of the American automobile industry.

So we are going, This doesn't make any sense. Let the compassion and the generosity of America express itself, as it has done so many, many times. And simply say, okay, we are going to appropriate the money. We'll dig deeper. We'll appropriate the money. We'll rebuild. And in rebuilding, much of it will be made in America.

Mr. TONKO. I think if I might, Representative GARAMENDI, that's where I can acknowledge that my district regardless of political persuasion, regardless of philosophy, people have been impacted by those statements. They are just trying to process that sort of thinking that would just call to a grinding halt any response that is going to be sufficient simply because it is ruled by some sort of new restrictive qualities.

Well, these are people in pain. These are people who are hurting through no fault of their own. They have been impacted by the forces of Mother Nature. We have seen it, as you have rightfully said, from coast to coast. There have been tragedies out there and disasters and challenges galore through the ages

of our history. And we have always responded in that American pioneer sort of way, to be there, roll in the assistance and take care of it. When one amongst us is hurt, everyone feels the pain.

So this is really tragic, and it then challenges our bigger picture here. If we can't be responsive in moments like that, how do you convince some in the House that the urgency to invest in an innovation economy, to invest in a global race on clean energy and innovation, how do you encourage them to understand the urgency for that moment, because if we are just living for the moment and not looking forward, if we don't have the vision as is suggested, we shall perish. That is just what we need right now.

We won the global race on space because with passionate resolve we determined that we were going to land the person on the Moon before any other nation; and we did it. We unleashed untold levels of technology that impacted every sector of the economy and every dynamic that defines our quality of life. From health care to communication to energy generation to education and beyond, all of that was impacted by the pioneer spirit of the global race on space.

We are at that same sort of defining moment. Are we going to shine? Is this going to be a shining moment for America? Are we going to allow the challenge to pass us by? Is that American in spirit? I would suggest not.

The moment today requires the sort of belief in our Nation's ability, and the leadership that should be expressed in the Halls of government here in Washington is silenced by that sort of thinking. And so we can, we must, we need to go forward with the soundness of investment in an innovation economy. When we talk about growing jobs and investing in the American worker, think of it, the linchpin to energy independence, battery manufacturing, advanced battery manufacturing.

□ 2050

I see it happening in my district. But it started with R&D. It starts with an investment of ideas, moving them along and building the prototype.

You mentioned earlier that my district was the host territory to the Industrial Revolution. That didn't just happen. There were people with boldness that said, let's create a port called New York City, and let it connect the great ocean to the Great Lakes. Because of my location, my geography, upstate New York became that link to a great ocean, to the Great Lakes. It inspired the birth of a necklace of communities called mill towns that then rose to be the epicenters of invention and innovation. That pioneer spirit is alive today in my State, in your State, and in the 48 other States. We should be proud of that. We should nurture it. We should make certain that it speaks forcefully to job creation. That's the plan of the President's American Jobs Act, and it's the vision of Make It in America that you and I so often speak to during these Special Orders on the House floor.

Mr. GARAMENDI. We can. Yes, we can. We can rebuild America. We really can do it. You gave a wonderful example of the way in which the great Industrial Revolution in this country took place, government doing its piece and the private sector doing that piece, government setting the stage with infrastructure and then the private sector coming along building the mill towns, building the factories, and the government aiding in the research all along the way.

There's a very interesting story about the telegraph. It would not have happened had not that idea been brought to the Congress and then the Congress funding the initial implementation of the telegraph. So we've seen over the history of America the role of government. The President has laid out in the American Jobs Act a very powerful message about the role of government, together with the free enterprise entrepreneurial system, building once again the America that we want.

We have maybe another 15 minutes, I think, here, and I want to take this to another part of what the President talked about yesterday. There are two Americas. We are two very different Americas. There is the very wealthy America, and then there is the rest of America. I put this up because I was listening, as I was traveling to one of my meetings in the district over the weekend, to a radio talk show. It was KGO radio in San Francisco. They had a talk show on in support of food banks. They were taking the entire day and assisting in raising money. This is one of the most-listened-to stations on the entire West Coast. They go from Vancouver all the way down to San Diego with their radio signal, and it was a whole day dedicated to food banks and raising money for food banks.

The story line was very simple. Food banks are being inundated by men and women that can no longer buy food. They are unemployed. They are simply to a point where they cannot any longer. The stories were heart-wrenching. Men and women, families that had worked their entire life, that had always been able to come home with food and a paycheck and been able to pay the rent or pay the mortgage had lost their job, and they didn't know what to do. They were embarrassed to go to the food bank. They thought it was begging. That's not the case.

Nonetheless, the stories tore me apart and caused me to come back and find out about child poverty in this Nation, the richest nation in the world. No other nation, no matter what you think of China, no matter what you think about India and how they have grown or any part of the European Union, no other nation in the world has the wealth of America, and no other industrialized country in the world has the same extraordinary child poverty. What are we? What are we in America if we don't care for our children?

Look at this. Nearly 25 percent, some were 23, 24 percent, one in four children in this Nation live in poverty, and they're hungry. They are hungry. This has to be addressed. The President's jobs program puts men and women back to work so that they can care for their children.

There is another story behind this, and that is that the rate of poverty in America is the highest it has been since 1962, during the Kennedy period. In the Johnson period, 1963, '64, '65, America started a war on poverty, and the poverty rate in this Nation fell precipitously. Senior poverty with Medicare and Medicaid; men and women in their senior years were taken out of poverty because they could afford health care. They had health care available to them. And other programs were institutionalized. Here we are, 40-some years later, the highest incident of poverty in America since prior to the war on poverty in the 1960s. We have to address this.

Mr. TONKO. Representative GARAMENDI, it is often said that a nation can be measured by the work it does for those in the dawn of life, and the quality of life for those children living in poverty understandably is reduced. And so the challenge to all of us in this country, what ought to move that moral compass of America, is the reflection on that statement that you just made.

If we're content with that statistic, if we're content with the direction in which that statistic is moving, then it is a puzzling statement. It ought to haunt us as a society. And as we weaken and as we grow more and more into the ranks of poverty, the entire Nation, all income strata, are challenged by that. We are all weakened by that statistic because as we empower each and every American, we, as a nation, collectively grow stronger. The impact is not only just living in poverty, it is more incidents of disease, risks to health care and poorer education. We need to strengthen the homes. You don't do it with policies that obviously have created this growing divide. That gap is growing between the comfortable and uncomfortable, and it's why there has to be this revisitation, if you will, of tax policy.

Now there are those who say, well, if you adjust this, it's class warfare. It's not class warfare. If everything were at its even level and you adjusted it, you could call it class warfare. This is an exercise in justice, social and economic justice. And it also can be argued that if we had those higher tax rates and we had a series of years of economic growth in the Clinton years, then how do you rationalize the tax rates having been higher back then? It certainly could be argued that it didn't ward off economic growth, economic strengthening of our Nation.

So there is a call here, a clarion call, a wake-up call to visit policy that will

undo this social and economic injustice. It hurts all of us, and it can't continue. I know that in the stats that you shared there is another one, another statistic that is troublesome. We have now dropped below $50,000 as the median household income. I believe we are in the range of $48,000 to $49,000, maybe perhaps just slightly more than $49,000. That is troublesome. As that median continues to dip, that is a hurtful acknowledgment that there are failed policies out there that need to be turned around.

Mr. GARAMENDI. Let me put a couple of more facts on the table and then let's talk about the policy changes that can redirect that. This is the last 40 years, 1979 to 2006, prior to the Great Recession. During that period of time, there was a shift of wealth and of income, wealth and of income, from the middle class and the low-income to the very wealthy. This lays it out. Again, this is prior to the Great Recession. If we look at it in the Great Recession, these statistics are even more startling.

□ 2100

For the low end, the poorest, 11 percent growth. And then you move up to the second group, 18 percent, 21 percent, 32 percent. For the top percentage, the top 20 percent, a 256 increase in income and wealth.

Looking at the statistics, a wage earner in a factory versus the CEO, it used to be 1 to 40, now it's 1 to 300. We've seen an enormous shift in wealth from the working middle class families to the very, very wealthy. If you overlay this with the 2007, 2008, 2009, and where we are today in 2011, it would be even more startling because now these are running negative, as you said just a moment ago. For the middle class, that's here and down, not the top 20 percent, but down here, this is the top 1 percent.

Mr. TONKO. So pre-recession, we were 32 percent at the best, anywhere from 11 percent to 32 percent growth, versus 256 percent growth for that top 1 percent perched at the top of the economic ladder, the income strata.

Mr. GARAMENDI. We use Donald Trump as the example here, but there are probably 400 to 500,000 that fall into this category; extraordinary wealth.

Now, we've been talking all night about the American Jobs Act, so I'm going to put this back up for us to ponder for a moment: the American Jobs Act. Total cost of the American Jobs Act: $450 million. The President yesterday said it can be paid for, and he laid out a way to pay for it and, simultaneously, over the next decade, bring down the American deficit—solve the deficit and pay for the Jobs Act. And he said that there are three ways to do it:

First, those who have much must participate. They must share in bringing America back. So he has suggested that the highest income, that 1 percent, those who make over $1 million, that they participate, that they no longer would be able to have a tax rate lower than their assistants. That's the Buffett Rule. That's a big piece of it, about $800 billion over the next decade.

He also said that corporations that pay no income tax today—corporations like General Motors, corporations like Verizon, some of America's biggest corporations pay zero income tax. Last year, General Electric paid zero and got about $5 billion back in rebates. Something is seriously wrong, the President says. That cannot happen anymore. Everybody has to participate.

He also said that other tax breaks for the oil companies should end. So putting together these tax increases on those who have much, the superwealthy in America, the hedge fund manager that pays 15 percent on his income where you and I and others may pay 30 percent, something's wrong here. So that's what he is recommending.

We need to move very vigorously forward on the American Jobs Act, put people back to work, and simultaneously solve the overall budget deficit by not only new taxes, but also with additional cuts. That's the President's proposal.

Mr. TONKO. I would add to that that the jobs piece is so significant. Because we can talk about tax reform, but unless you have a job and an income, then it renders itself somewhat meaningless.

I would also add, Representative GARAMENDI, the concern that as more and more pressure has befallen the 50 States, we've seen cuts to programs and resources. These services don't go away, and so the payment comes down to the local level with property tax payments that are now snuffing out the American Dream for America's working families, for the middle class. So not only is the tax policy suffocating for middle class Americans, but the counter effect of property taxes growing in order to continue services means that more and more pressure—income tax, property tax pressure, school tax pressure—is befalling the middle class. When people want to walk away from this agenda to make progressive reforms to tax policy, it scares me because this is our moment, our tipping point to turn things around.

I know that you want to close. I thank you for the outstanding leadership in bringing us together, Representative GARAMENDI. It is always a pleasure to join with you. We will continue to forcefully speak to the reforms we need.

Mr. GARAMENDI. The East-West show will continue, and the Make It in America agenda will be the American agenda because Americans want to make things in this country. They want to rebuild the manufacturing industry. The President has given us a way to do that with the American Jobs Act. Trade policy, tax policy, energy, labor, Make It in America. Make the jobs in America. Rebuild America's manufacturing base. Rebuild the American middle class. We will do it. And if we pass the American Jobs Act, it can happen very quickly.

I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2608, CONTINUING APPROPRIATIONS ACT, 2012

Mr. WOODALL (during the Special Order of Mr. GARAMENDI), from the Committee on Rules, submitted a privileged report (Rept. No. 112–212) on the resolution (H. Res. 405) providing for consideration of the Senate amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2401, TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

Mr. WOODALL (during the Special Order of Mr. GARAMENDI), from the Committee on Rules, submitted a privileged report (Rept. No. 112–213) on the resolution (H. Res. 406) providing for consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RYAN of Wisconsin (at the request of Mr. CANTOR) for today on account of a death in the family.

Ms. BUERKLE (at the request of Mr. CANTOR) for today on account of official business.

Mr. REICHERT (at the request of Mr. CANTOR) for today and the remainder of the week on account of illness.

Mr. BACA (at the request of Ms. PELOSI) for today on account of personal reasons.

A BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on September 12, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 1249. To amend title 35, United States Code, to provide for patent reform.

ADJOURNMENT

Mr. TONKO. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 21, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3135. A communication from the President of the United States, transmitting a budget request for disaster response needs through Fiscal Year (FY) 2012; (H. Doc. No. 112—56); to the Committee on Appropriations and ordered to be printed.

3136. A letter from the Under Secretary, Department of Defense, transmitting the Department's quarterly report entitled, ''Acceptance of contributions for defense programs, projects, and activities; Defense Cooperation Account'', for the period ending June 30, 2011; to the Committee on Armed Services.

3137. A letter from the Principal Deputy, Department of Defense, transmitting authorization of Rear Admiral (lower half) David G. Simpson, United States Navy, to wear the authorized insignia of the grade of rear admiral; to the Committee on Armed Services.

3138. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Contractors Performing Private Security Functions (DFARS Case 2011-D023) (RIN: 0750-AH28) received August 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3139. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement; Nonavailability Exception for Procurement of Hand or Measuring Tools (DFARS Case 2011-D025) (RIN: 0750-AH17) received August 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3140. A letter from the Regulatory Specialist, LRA, Department of the Treasury, transmitting the Department's final rule — Office of Thrift Supervision Integration Pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act (RIN: 1557-AD47) received August 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3141. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Chile pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3142. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to India pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3143. A letter from the Secretary, Department of Energy, transmitting the annual report under the Federal Managers' Financial Integrity Act for FY 2008 and 2009, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Energy and Commerce.

3144. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act (RIN: 1210-AB44) received August 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3145. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received August 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3146. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Efficiency Design Standards for New Federal Commercial and Multi-Family High-Rise Residential Buildings and New Federal Low-Rise Residential Buildings [Docket No.: EERE-2011-BT-STD-0005] (RIN: 1904-AC41) received August 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3147. A letter from the Secretary, Department of Health and Human Services, transmitting report to Congress on the Backlog of Postmarketing Requirements (PMRs) and Postmarketing Commitments (PMCs) for 2011; to the Committee on Energy and Commerce.

3148. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Gearhart, Madras, Manzanita, and Seaside, Oregon) Station KNRQ-FM, to Change Community of License from Tualatin to Aloha, Oregon [MB Docket No.: 10-118] (RM-11603) (RM-11631) (File No. BMPH-20100805AKO) received August 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3149. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Eau Claire, Wisconsin) [MB Docket No.: 11-100] (RM-11632) received August 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3150. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Structure and Practices of the Video Relay Service Program [CG Docket No.: 10-51] received August 9, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3151. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Guidance for the Assessment of Beyond-Design-Basis Aircraft Impacts (Regulatory Guide 1.217) received August 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3152. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

3153. A letter from the Chairman, Parliament of the Republic of Moldova, transmitting a letter wishing peace and prosperity for the United States on Independence Day; to the Committee on Foreign Affairs.

3154. A letter from the Chairman, National Transportation Safety Board, transmitting in accordance with Pub. L. 105-270, the Federal Activities Inventory Reform Act of 1998 (FAIR Act), the Board's inventory of commerical activities for 2010; to the Committee on Oversight and Government Reform.

3155. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's Annual No FEAR Report to Congress for Fiscal Year 2010; to the Committee on Oversight and Government Reform.

3156. A letter from the Acting Chief, Division of Habitat and Resource Conservation, Department of Interior, transmitting the Department's final rule — Marine Mammals; Incidental Take During Specified Activities [Docket No.: FWS-R7-FHC-2010-0098] (RIN: 1018-AX32) received August 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3157. A letter from the Acting Chief — Endangered Species Branch of Listing, Department of the Interior, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Emergency Listing of the Miami Blue Butterfly as Endangered, and Emergency Listing of the Cassius Blue, Ceraunus Blue, and Nickerbean Blue Butterflies as Threatened Due to Similarity of Appearance to the Miami Blue Butterfly [Docket No.: FWS-R4-ES-2011-0043] (RIN: 1018-AX83) received August 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3158. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Endangered Status for the Largetooth Sawfish [Docket No.: 0906221082-0484-03] (RIN: 0648-XQ03) received July 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3159. A letter from the Assistant Secretary for Employment and Training Administration, Department of Labor, transmitting the Department's final rule — Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program; Amendment of Effective Date (RIN: 1205-AB61) received August 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3160. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30793; Amdt. No. 3435] received August 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3161. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30792; Amdt. No. 3434] received August 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3162. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — FIR Altitudes; Miscellaneous Amendments [Docket No.: 30794; Amdt. No. 495] received August 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3163. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Implementation of Federal Acquisition Regulation (FAR) Award Fee Language Revision (RIN: 2700-AD69) received August 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

3164. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — Major System Acquisition; Earned Value Management (RIN: 2700-AD29) received August 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science, Space, and Technology.

3165. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Release of Information from Department of Veterans Affairs Records (RIN: 2900-AN72) received August 16, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 405. Resolution providing for consideration of the Seante amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes (Rept. 112–212). Referred to the House Calendar.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 406. Resolution providing for consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other puropses (Rept. 112–213). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CUMMINGS (for himself and Mr. LYNCH):

H.R. 2967. A bill to enhance the long-term profitability of the United States Postal Service through enhanced innovation, operational flexibility, workforce realignment, and regulatory relief; to the Committee on Oversight and Government Reform.

By Mr. WITTMAN:

H.R. 2968. A bill to require the Secretary of the Treasury to mint coins in commemoration of President James Monroe, and for other purposes; to the Committee on Financial Services.

By Mr. BURGESS (for himself, Mr. KIND, Mr. LEWIS of California, Mrs. BLACKBURN, Mr. HIMES, Mr. LATHAM, Mr. SMITH of New Jersey, Mr. ROGERS of Michigan, Mr. HURT, Mr. YOUNG of Florida, Mr. LANCE, Mr. BACHUS, Mr. MCKINLEY, Mr. KILDEE, Ms. SCHAKOWSKY, Mr. BOREN, Mr. STARK, Mr. INSLEE, and Mr. LEWIS of Georgia):

H.R. 2969. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA (for himself, Mr. ISRAEL, Mr. SERRANO, Ms. NORTON, Mr. GRIJALVA, Ms. BORDALLO, Mr. CONYERS, Ms. LEE, Ms. EDWARDS, Mr. ACKERMAN, Mrs. MCCARTHY of New York, Ms. WOOLSEY, Mr. BRADY of Pennsylvania, and Mr. RUNYAN):

H.R. 2970. A bill to award a Congressional Gold Medal in recognition of Alice Paul's role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

By Mr. HULTGREN:

H.R. 2971. A bill to amend titles 23, 45, and 49, United States Code, to encourage the use of private-public partnerships in transportation; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself and Mr. HIGGINS):

H.R. 2972. A bill to permanently reauthorize the EB-5 Regional Center Program; to the Committee on the Judiciary.

By Mr. MATHESON:

H.R. 2973. A bill to direct the Secretary of the Interior to extend an exemption from certain requirements of the Endangered Species Act of 1973 to protect public health and safety; to the Committee on Natural Resources.

By Ms. MOORE (for herself and Ms. LEE):

H.R. 2974. A bill to amend title 49, United States Code, to require that not less than 10 percent of the amounts made available for certain high-speed rail projects be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 2975. A bill to authorize the Secretary of the Interior to enter into an agreement with the Battery Conservancy to construct and operate a performance facility at Castle Clinton National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. ROTHMAN of New Jersey (for himself and Mr. KING of New York):

H.R. 2976. A bill to enhance public safety by making more spectrum available to public safety agencies, to facilitate the development of a wireless public safety broadband network, to provide standards for the spectrum needs of public safety agencies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHWEIKERT (for himself, Mr. HENSARLING, and Mr. LUETKEMEYER):

H.R. 2977. A bill to improve the circulation of $1 coins, to remove barrier to the circulation of such coins, and for other purposes; to the Committee on Financial Services.

By Mr. AUSTIN SCOTT of Georgia (for himself, Mr. WESTMORELAND, Mrs. BLACKBURN, Mr. NUNNELEE, Mr. WILSON of South Carolina, Mr. MULVANEY, Mr. LONG, Mr. ROSS of Florida, Mr. BROUN of Georgia, Mr. FLEISCHMANN, Mrs. ELLMERS, Mr. CANSECO, Mr. LANDRY, Mr. DUNCAN of South Carolina, Mr. FLORES, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Mr. CRAWFORD, Mrs. BLACK, Mr. GINGREY of Georgia, Mr. BROOKS, Mrs. ROBY, Mr. PITTS, Mr. KINGSTON, Mr. PAUL, and Mr. RIBBLE):

H.R. 2978. A bill to amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey (for himself and Mr. ROTHMAN of New Jersey):

H.R. 2979. A bill to defer mortgage payment due dates and to prohibit creditors from imposing late fees, increasing interest rates, or submitting adverse credit information with regard to the account of a mortgage holder whose principal residence has been severely impacted by a natural disaster for up to a 90-day period following issuance of a disaster declared by the Presidential for the area in which the mortgage holder's principal residence is located, and for other purposes; to the Committee on Financial Services.

By Mr. TONKO:

H.R. 2980. A bill to limit reimbursement for excessive compensation of government contractors equal to the pay of Cabinet Secretaries; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas:

H. Res. 403. A resolution honoring those persons whose lives have been taken by bacterial meningitis and those who continue to struggle with bacterial meningitis and its consequences, and supporting all work for the eradication of bacterial meningitis in the United States; to the Committee on Energy and Commerce.

By Ms. LORETTA SANCHEZ of California:

H. Res. 404. A resolution recognizing the service and sacrifice of members of the Armed Forces and veterans who are Latino; to the Committee on Armed Services.

By Mr. BURTON of Indiana (for himself, Ms. DELAURO, Mr. YOUNG of Florida, Mr. ISRAEL, Ms. MATSUI, Mr. CLARKE of Michigan, Ms. RICHARDSON, Mr. CARNAHAN, Mr. BARLETTA, Mr. RUSH, Ms. MCCOLLUM, Mr. CARDOZA, Mr. RYAN of Ohio, Mr. CHAFFETZ, Mr. REED, Mr. LEVIN, Ms. HOCHUL, Mr. BOSWELL, Mr. CONNOLLY of Virginia, Mr. BUTTERFIELD, Mr. DONNELLY of Indiana, Mr. KILDEE, Mrs. DAVIS of California, Mrs. LOWEY, Mr. CRAWFORD, Mr. PETERS, Ms. BORDALLO, Ms. WASSERMAN SCHULTZ, Mrs. MALONEY, Ms. MOORE, Ms. TSONGAS, Ms. CASTOR of Florida, Ms. HERRERA BEUTLER, Ms. WOOLSEY, Mr. BERMAN, Ms. SCHAKOWSKY, Mr. HINCHEY, and Ms. SLAUGHTER):

H. Res. 407. A resolution expressing support for designation of September 2011 as National Ovarian Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Ms. CLARKE of New York (for herself, Mr. RANGEL, Mr. TOWNS, and Mrs. CHRISTENSEN):

H. Res. 408. A resolution recognizing the impact of Mr. Hulbert James on politics, urban development, and New York City, and paying tribute to Mr. Hulburt for his lifetime of public service; to the Committee on Financial Services.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

130. The SPEAKER presented a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 7 commending its educators who teach about human rights and genocide; to the Committee on Foreign Affairs.

131. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 11 urging the defeat of H.R. 1161; to the Committee on the Judiciary.

132. Also, a memorial of the House of Representatives of the State of New Hampshire, relative to House Concurrent Resolution 9 urging the President and the Congress to immediately address the serious privacy, constitutional, safety, and religious freedom concerns presented by advanced imaging technology employed by the Transportation Security Agency; to the Committee on Homeland Security.

133. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 10 supporting the school-based health center program; jointly to the Committees on Energy and Commerce and Education and the Workforce.

134. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 90 opposing the budget cuts proposed by the President and the Congress; jointly to the Committees on Foreign Affairs and Energy and Commerce.

135. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 27 urging the Congress to provide additional federal aid to the State of Hawaii for the provision of various state services to migrants from the Compact of Free Association nations; jointly to the Committees on Foreign Affairs and Energy and Commerce.

136. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Concurrent Resolution No. 53 urging the Congress to provide additional federal aid to the State of Hawaii for the provision of various state services to migrants from the Compact of Free Association nations; jointly to the Committees on Foreign Affairs and Energy and Commerce.

137. Also, a memorial of the Council of the City of District of Columbia, relative to Resolution 19-143 proposing a transfer of jurisdiction; jointly to the Committees on Oversight and Government Reform and Natural Resources.

138. Also, a memorial of the Council of the City of District of Columbia, relative to proposing a transfer of jurisdiction; jointly to the Committees on Oversight and Government Reform and Natural Resources.

139. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 12 requesting the enactment of the Federal Strengthening Medicare and Repaying Taxpayers Act of 2011; jointly to the Committees on Ways and Means and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CUMMINGS:

H.R. 2967.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article 1, Section 8, Clause 1 and Article 1, Section 8, Clause 7 of the United States Constitution.

By Mr. WITTMAN:

H.R. 2968.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8 of the Constitution of the United States grants Congress the authority to coin money, regulate the value and fix the standard of weights and measures.

By Mr. BURGESS:

H.R. 2969.

Congress has the power to enact this legislation pursuant to the following:

The attached bill is constitutional under Article I, Section 8, Clause 3: ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes'' as well as Article 1, Section 8, Clause 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.''

By Mr. BACA:

H.R. 2970.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the Constitution—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. HULTGREN:

H.R. 2971.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. LARSEN of Washington:

H.R. 2972.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, Section 2 of the Constitution, ''the House of Representatives shall be composed of Members chosen every second Year by the People of the several States.'' As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress.'' I was elected in 2010 to serve in the 112th Congress as certified by the Secretary of State of Washington state.

Article III, Section 2 states that the Supreme Court has ''the judicial power'' that ''shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States.'' Article II, Section 1 of the Constitution provides that the Supreme Court is the supreme law of the land when stating ''The judicial power of the United States, shall be vested in one supreme Court.''

The power of judicial review of the Supreme Court was upheld in Marbury v Madison in 1803, giving the Supreme Court the authority to strike down any law it deems unconstitutional. Members of Congress, having been elected and taken the oath of office, are given the authority to introduce legislation and only the Supreme Court, as established by the Constitution and precedent, can determine the Constitutionality of this authority.

By Mr. MATHESON:

H.R. 2973.

Congress has the power to enact this legislation pursuant to the following:

The 10th Amendment of the Constitution.

By Ms. MOORE:

H.R. 2974.

Congress has the power to enact this legislation pursuant to the following:

Congress' power under Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. NADLER:

H.R. 2975.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clauses 1, 17, and 18.

By Mr. ROTHMAN of New Jersey:

H.R. 2976.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 18: The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. SCHWEIKERT:

H.R. 2977.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, (''The Congress shall have Power To . . . coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.''

By Mr. AUSTIN SCOTT of Georgia:

H.R. 2978.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. SMITH of New Jersey:

H.R. 2979.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clauses 3 and 18 of the Constitution.

By Mr. TONKO:

H.R. 2980.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Ms. WOOLSEY.

H.R. 100: Mr. NUGENT.

H.R. 178: Mr. LONG and Ms. EDWARDS.

H.R. 181: Mr. ROE of Tennessee.

H.R. 186: Mr. COFFMAN of Colorado.

H.R. 218: Mrs. CHRISTENSEN, Ms. WOOLSEY, Mr. FALEOMAVAEGA, and Mr. TOWNS.

H.R. 303: Mr. COSTELLO, Mr. BENISHEK, and Mr. COFFMAN of Colorado.

H.R. 363: Mrs. DAVIS of California.

H.R. 370: Ms. WASSERMAN SCHULTZ.

H.R. 371: Mr. GARY G. MILLER of California.

H.R. 402: Mr. LANGEVIN.

H.R. 466: Mr. LYNCH, Ms. ZOE LOFGREN of California, Mr. COOPER, Mr. DAVIS of Kentucky, Ms. SLAUGHTER, and Mr. SMITH of Washington.

H.R. 494: Ms. BALDWIN.

H.R. 512: Mr. SERRANO and Ms. JACKSON LEE of Texas.

H.R. 530: Mr. FRANK of Massachusetts and Ms. WOOLSEY.

H.R. 538: Mr. GOODLATTE.

H.R. 615: Mr. HUELSKAMP.

H.R. 640: Mrs. EMERSON.
H.R. 645: Mr. SCOTT of South Carolina.
H.R. 683: Mr. JOHNSON of Georgia and Mrs. CHRISTENSEN.
H.R. 733: Mr. JONES and Mr. BARTLETT.
H.R. 735: Mr. DESJARLAIS, Mr. MCKEON, and Mr. RIVERA.
H.R. 760: Mr. CARDOZA and Mr. DENHAM.
H.R. 808: Mr. SERRANO.
H.R. 835: Mr. BUCHANAN.
H.R. 883: Mr. MILLER of North Carolina.
H.R. 891: Ms. SCHAKOWSKY.
H.R. 895: Mr. DUNCAN of South Carolina.
H.R. 959: Mr. RIVERA.
H.R. 1025: Ms. HERRERA BEUTLER.
H.R. 1041: Ms. TSONGAS.
H.R. 1042: Mr. ROHRABACHER, Mrs. BONO MACK, and Mr. DREIER.
H.R. 1063: Mr. COOPER.
H.R. 1084: Ms. KAPTUR.
H.R. 1085: Mr. HIGGINS.
H.R. 1106: Mr. BRALEY of Iowa.
H.R. 1167: Mr. CANSECO.
H.R. 1179: Mr. AKIN, Mr. MANZULLO, Mr. JOHNSON of Ohio, and Mr. SCOTT of South Carolina.
H.R. 1195: Mr. LOBIONDO.
H.R. 1206: Mr. DUFFY, Mrs. MYRICK, Mr. GRAVES of Missouri, and Mr. FLEISCHMANN.
H.R. 1235: Mr. ROSS of Florida.
H.R. 1259: Mr. PRICE of Georgia.
H.R. 1322: Mr. KUCINICH and Mr. TOWNS.
H.R. 1332: Mr. DEFAZIO, Mr. ALTMIRE, Ms. KAPTUR, Mr. GARY G. MILLER of California, Mr. CHABOT, Mrs. BIGGERT, Mr. COHEN, and Mr. KING of New York.
H.R. 1340: Mr. ROSS of Arkansas, Mr. FLEISCHMANN, and Mr. WESTMORELAND.
H.R. 1351: Mr. MANZULLO, Mr. MCKINLEY, Mr. MILLER of North Carolina, Mr. THOMPSON of Mississippi, and Mr. PRICE of North Carolina.
H.R. 1370: Mr. FINCHER.
H.R. 1389: Mr. SHERMAN.
H.R. 1465: Ms. SLAUGHTER.
H.R. 1489: Ms. ZOE LOFGREN of California and Mr. DEFAZIO.
H.R. 1509: Mr. PAUL, Mr. DAVIS of Kentucky, and Mr. BUCHANAN.
H.R. 1547: Mr. PRICE of North Carolina.
H.R. 1550: Mr. LEWIS of Georgia.
H.R. 1588: Mr. KINGSTON.
H.R. 1606: Mr. KILDEE.
H.R. 1639: Mr. GRIFFITH of Virginia, Mr. GIBBS, and Mr. SENSENBRENNER.
H.R. 1653: Mrs. MILLER of Michigan, Mr. ROGERS of Michigan, Mr. KINZINGER of Illinois, and Mr. WHITFIELD.
H.R. 1683: Mr. KINGSTON.
H.R. 1704: Mr. PRICE of North Carolina and Ms. HIRONO.
H.R. 1723: Mr. LANKFORD.
H.R. 1756: Mr. HARRIS.
H.R. 1776: Mr. RANGEL.
H.R. 1780: Mr. CICILLINE and Mr. VAN HOLLEN.
H.R. 1792: Ms. SCHWARTZ.
H.R. 1801: Mr. BILIRAKIS.
H.R. 1848: Mr. GARY G. MILLER of California.
H.R. 1865: Mr. NUGENT, Mr. AUSTIN SCOTT of Georgia, Mr. HUELSKAMP, and Mr. BENISHEK.
H.R. 1903: Ms. WASSERMAN SCHULTZ.
H.R. 1909: Mr. SCHWEIKERT and Ms. MCCOLLUM.
H.R. 1946: Mr. WELCH.
H.R. 1947: Mr. PRICE of North Carolina.
H.R. 1971: Mr. WELCH and Mr. JOHNSON of Georgia.
H.R. 1980: Ms. BORDALLO, Mr. HULTGREN, and Mr. PASCRELL.
H.R. 1996: Mr. HULTGREN, Mr. BRADY of Texas, Mr. FLORES, Mr. GOHMERT, Mr. FLEMING, and Mr. CANSECO.
H.R. 2005: Mr. SABLAN, Mrs. MALONEY, Mr. MEEHAN, Mr. HONDA, and Mr. REYES.
H.R. 2020: Mr. KISSELL and Mr. MORAN.
H.R. 2033: Mrs. LOWEY.
H.R. 2040: Mrs. LUMMIS, Mr. CAMPBELL, Mr. COFFMAN of Colorado, Mr. DUNCAN of Tennessee, and Mr. GINGREY of Georgia.
H.R. 2059: Ms. FOXX, Mr. BONNER, Mr. CARTER, Mr. MANZULLO, Mr. MARINO, Mrs. BLACKBURN, Mrs. BLACK, Mr. MCHENRY, Mr. CANSECO, Mr. COBLE, and Mr. SENSENBRENNER.
H.R. 2068: Mr. GARDNER.
H.R. 2123: Mr. TIERNEY.
H.R. 2134: Mr. TONKO.
H.R. 2139: Mr. NUNNELEE, Mr. SCHILLING, Mr. AUSTIN SCOTT of Georgia, Mr. ACKERMAN, Mr. HIGGINS, Mr. KEATING, and Mr. BASS of New Hampshire.
H.R. 2140: Ms. DELAURO, Ms. MCCOLLUM, and Mr. HINOJOSA.
H.R. 2159: Mr. LANGEVIN.
H.R. 2164: Mr. SESSIONS.
H.R. 2167: Mr. WELCH, Mr. BOREN, and Mr. FITZPATRICK.
H.R. 2168: Ms. ZOE LOFGREN of California and Ms. SCHAKOWSKY.
H.R. 2250: Mr. ROONEY, Mr. FLEISCHMANN, and Mr. KINGSTON.
H.R. 2257: Mr. MURPHY of Pennsylvania, Mr. NUNNELEE, Mr. FORBES, and Mr. WALSH of Illinois.
H.R. 2308: Mr. GRIMM.
H.R. 2324: Ms. MCCOLLUM.
H.R. 2346: Ms. BALDWIN.
H.R. 2349: Mr. BILIRAKIS.
H.R. 2369: Mrs. BLACK, Ms. HERRERA BEUTLER, Mrs. EMERSON, Mr. WEBSTER, and Mr. SCOTT of South Carolina.
H.R. 2381 Mr. RANGEL.
H.R. 2426: Mr. GARY G. MILLER of California and Mr. JOHNSON of Ohio.
H.R. 2433: Mr. JOHNSON of Ohio.
H.R. 2444: Mr. LUJÁN.
H.R. 2446: Mr. HUIZENGA of Michigan.
H.R. 2471: Mrs. MYRICK.
H.R. 2479: Mr. CICILLINE.
H.R. 2492: Mr. HOLT.
H.R. 2497: Mr. SESSIONS.
H.R. 2501: Mr. COHEN, Mr. HINCHEY, Ms. CHU, Mr. OLVER, Mr. GUTIERREZ, Ms. BASS of California, Mr. LEVIN, and Mr. KUCINICH.
H.R. 2512: Mr. AMODEI.
H.R. 2514: Mr. GOWDY.
H.R. 2528: Mrs. EMERSON.
H.R. 2541: Mr. DICKS, Mrs. HARTZLER, Mr. BUTTERFIELD, Mr. PETERSON, Mr. GOODLATTE, and Mr. JONES.
H.R. 2543: Ms. CHU.
H.R. 2614: Mr. POLIS.
H.R. 2657: Ms. ZOE LOFGREN of California, Ms. WOOLSEY, Mrs. MALONEY, Mr. BERMAN, Mr. KILDEE, Mr. ACKERMAN, Mr. HASTINGS of Florida, and Mr. ROTHMAN of New Jersey.
H.R. 2679: Mr. FARR.
H.R. 2681: Mr. AUSTRIA and Mr. BISHOP of Georgia.
H.R. 2721: Mr. HALL and Mr. NADLER.
H.R. 2731: Mr. DAVIS of Kentucky.
H.R. 2745: Mr. AMODEI.
H.R. 2752: Mr. BENISHEK.
H.R. 2772: Mr. GUINTA.
H.R. 2774: Mr. HENSARLING, Mr. HARRIS, and Mrs. MYRICK.
H.R. 2787: Mr. LUJÁN and Mr. PASTOR of Arizona.
H.R. 2852: Mr. COFFMAN of Colorado.
H.R. 2854: Mr. GIBSON, Ms. FOXX, Mr. STIVERS, Mr. CANSECO, and Mr. WESTMORELAND.
H.R. 2856: Mr. OLVER.
H.R. 2865: Mr. GARY G. MILLER of California.
H.R. 2866: Ms. RICHARDSON and Mr. COFFMAN of Colorado.
H.R. 2881: Mr. CARNAHAN.
H.R. 2885: Mr. SESSIONS, Mr. ISSA, and Mr. WOMACK.
H.R. 2888: Mr. JONES and Mr. HUNTER.
H.R. 2914: Mr. WELCH and Mr. PAYNE.
H.R. 2919: Mr. LONG.
H.R. 2926: Mr. ROSS of Florida, Mr. WILSON of South Carolina, and Mr. CANSECO.
H.R. 2948: Mr. GARAMENDI and Ms. WOOLSEY.
H.R. 2951: Mr. HUIZENGA of Michigan.
H.R. 2952: Mr. KLINE and Mr. NUNNELEE.
H.R. 2954: Mr. WELCH, Mr. FILNER, and Mr. BECERRA.
H.J. Res. 13: Mr. ROGERS of Alabama and Mr. WOMACK.
H. Con. Res. 72: Mr. OLVER and Ms. CHU.
H. Res. 16: Mr. DUNCAN of South Carolina.
H. Res. 130: Ms. LORETTA SANCHEZ of California.
H. Res. 134: Mr. CROWLEY.
H. Res. 137: Mr. MARKEY.
H. Res. 177: Mr. PETERS, Mr. PAYNE, and Mr. AUSTRIA.
H. Res. 255: Mr. THOMPSON of Mississippi.
H. Res. 365: Mr. CONYERS.
H. Res. 367: Mr. BARLETTA and Mr. CARNEY.
H. Res. 394: Mr. GUINTA, Mr. MCCLINTOCK, Mr. LONG, Mr. AUSTRIA, Mr. GRIMM, Mr. SMITH of Texas, Mr. CANSECO, and Mr. CAMPBELL.
H. Res. 397: Ms. JACKSON LEE of Texas, Mr. LEWIS of Georgia, Ms. BORDALLO, Mr. FARR, Mr. CLEAVER, Mr. GONZALEZ, and Mr. CONYERS.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means, in H.R. 2943, the Short-Term TANF Extension Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget, in H.R. 2943, the Short-Term TANF Extension Act, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative RUSH, or a designee, to H.R. 2401, the TRAIN Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, SEPTEMBER 20, 2011 No. 140

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, we believe that You will never fail or forsake us, but help us to never take Your love and faithfulness for granted. Empower our Senators to be good stewards of the many blessings and of the responsibilities and opportunities You have given them. Lord, open their minds and give them a vision of the unlimited possibilities available to those who trust You as their guide. Incline their ears to hear Your voice and fill them with Your power, O Lord of Hosts. You are the King, eternal, immortal, invisible, who alone is wise. You deserve the honor and glory forever and ever. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 20, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in morning business for an hour. The Republicans will control the first half and the majority will control the final half. Following morning business, the Senate will begin consideration of H.R. 2832, which is the Generalized System of Preferences Act that is a vehicle for trade adjustment assistance that we are going to be working on.

We are going to recess today from 12:30 until 2:15 p.m. for our weekly caucus meetings.

At 2:30 p.m. today, Senator HELLER will be recognized to deliver his maiden speech in the Senate.

We will work through amendments to trade adjustment assistance. I will notify Senators when votes are scheduled.

SENATOR LAMAR ALEXANDER

Mr. REID. Madam President, I see on the floor today my friend LAMAR ALEXANDER from the great State of Tennessee. I just received a news flash that he was going to relinquish his leadership position and stay in the Senate and run for reelection. I do not know all the reasons for his doing this, but I want the record to be spread with the fact that I have found LAMAR ALEXANDER to be one of the most thoughtful people I have ever served with in the Senate. There are many issues he gets no credit for that were resolved because of his ability to see the big picture.

We had this big issue dealing with the so-called nuclear option, as to what would happen in the Senate with some of our rules changes. He stepped in, completely out of the limelight, and because of his idea we resolved that issue.

There are many other examples such as that. He is a unique person in this body. He accomplishes a great deal and gets credit for not a lot, and that is unfortunate. But that is who he is and who he has always been. I know he will continue being a stalwart in the Senate. I look forward to working with him, but I look forward mostly to his sense of fairness, which he has been so very exemplary during my time with him in the Senate.

DON'T ASK, DON'T TELL

Mr. REID. Madam President, 60 years ago this Nation's Armed Forces were segregated by race. Thirty-five years ago women were not allowed to attend our Nation's military academies. Until today—in fact, last night at midnight—thousands and thousands of qualified, dedicated men and women were barred from military service or expelled from the Armed Forces because they were honest about their sexual orientation. Today I am glad to say the time has passed when Americans, willing to give their lives to defend this great Nation, could be turned away from service because of who they loved. Today, don't ask, don't tell is no longer the law of the land. For 17 years we have asked our soldiers to defend a flag that stands for liberty and justice for all, and then required some of those soldiers to keep who they were a secret. In too many cases we have robbed them of their right to fight for their country altogether.

Listen to this staggering number: More than 13,000 American

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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servicemembers have been discharged because of this law. The law has been in effect just a short period of time but more than 13,000 have been discharged because of this law which institutionalized discrimination against openly gay soldiers, sailors, marines, and airmen. I say ''openly gay.'' This wasn't the case. Some were suspect. There was a long interview on Public Broadcasting this morning about a woman who was discharged at age 22 because of someone reporting they had seen her in a bar with another woman. We will never know how many people; that is, capable men and women, were never offered patriotic service. They could not because the law exposed them to career-ruining discrimination. We have the 13,000-plus, plus thousands of others who said there is no need to do this because I would have to live a lie.

The military's highest commanders and a vast majority of servicemembers agree our fighting force is better off knowing we will have the best and brightest volunteers, regardless of sexual orientation, race, ethnicity, religion, or gender. There is no place for intolerance in our great Nation and certainly not in our Armed Forces tasked with protecting them.

I am happy to say that today our military policies and our national values are in line. From today forward, no qualified man or woman willing to fight for a nation founded on the principles of tolerance and equality will ever again be denied the right to do so.

FEMA

Mr. REID. Madam President, on Wednesday the House, we are told, will send us a continuing resolution to fund the government through November 18. I was disappointed to see the House shortchanged the Federal Emergency Management Agency. We have been told specifically what they intend to do and it is a real shortchange, by failing to provide the funding to adequately help Americans whose lives have been devastated by floods, hurricanes, and tornadoes. It is staggering to understand the depth of the concern people have.

Yesterday morning I received a call from KENT CONRAD, Senator from North Dakota, who proceeded to explain to me about a city in North Dakota by the name of Minot, a town of about 40,000 people. Twenty-five percent of the homes in Minot, ND, are underwater. Most of those underwater are ruined forever. These are not big mansions. They are homes people have lived in, sometimes for a very long period of time.

Yesterday I was speaking to Senator HOEVEN, who certainly knows North Dakota as well as anyone. He served as Governor there and is now in the Senate. We were talking about the flood. Of course, one of the things people are saying is: Why didn't Congress and the President plan for all this? As Senator HOEVEN described in some detail, how do you estimate something that has never, ever happened before? Not a 50-year flood took place in North Dakota, not a 100-year flood, not a 500-year flood—it is something that has never happened, ever. This in spite of the fact that they built some dams, even some in Canada, to stop the flooding. It didn't matter, this was so immense. It had never happened before in North Dakota. A sparsely populated State has been devastated by these floods—natural, you say, but certainly unusual floods that have ravaged that State.

That is not the only State. Many States have been hammered hard. Who would ever have thought, a year ago, that a relatively small community, Joplin, MO, would be hit by almost 300-mile-an-hour winds. The winds didn't just whip through, they roiled around there for such a time that they basically destroyed that town.

There are many other examples of what has happened, being unable to determine what would happen in the future. Suffice it to say we provided funds last week here in the Senate to help Americans whose lives had been devastated by floods, hurricanes, tornadoes, and other natural calamities. In a bipartisan bill for FEMA and other agencies, we passed that help disaster victims need—an additional $6.9 billion. That is probably not enough, frankly. After the Appropriations Committee did their work, reported the bill out, a bill of some $6 billion, I asked the different subcommittees to find out what additionally was needed. They came back with another $3 billion. We pared that down because we wanted to keep within the agreement we had from the Deficit Reduction Act which set that at $7 billion, and we are slightly under that. That is why we came in with that figure.

That funding, $6.9 billion, while it does not give everyone everything, will help rebuild after several costly natural disasters, not the least of which is Hurricane Irene.

Tomorrow when the Senate receives the House bill to fund the government for 6 more weeks, we will amend it with the language the Senate passed, the Senate FEMA legislation. This year President Obama has declared disasters in all but two States, and FEMA is quickly running out of money to help American families and communities recover.

I talked to Mr. Fugate, the head of FEMA, last Thursday. He said they have enough money to last probably until September 25th. That is even on a very narrow plane that they are working on. They have stopped the work in Joplin, MO. They have stopped the work because of the devastation that happened in the gulf previously. The only money they are spending now deals with Tropical Storm Lee and Hurricane Irene. They have no more money. They are out of money. So it is desperate.

I know this amendment will enjoy the support of my Republican colleagues as it did last week. We had 10 who stepped forward and it was very important that they did that. Last week, a bipartisan group of Senators agreed that helping communities destroyed by natural disasters was too important to let politics get in the way.

PROTECTING THE MIDDLE CLASS

Mr. REID. Madam President, Americans have sent a message to Congress that no issue is more important to them than jobs. But for Republicans, job creation is less important than slashing spending on initiatives that create jobs and the Social Security and Medicare benefits seniors have earned. Democrats believe we can reduce the deficit without abandoning job creation. We can make smart, strategic cuts that will not further slow down our struggling economy, while protecting and advancing initiatives that create jobs. That is why President Obama has released detailed proposals to create 2 million jobs now while reducing the deficit by more than $4 trillion over the next decade.

But many Republicans have criticized both proposals even before looking at their substance. It seems they are more concerned with protecting millionaires, billionaires, hedge fund managers, and private jet owners than fighting for the middle class. They claim it is class warfare to ask the wealthiest 400 Americans who made an average, these 400, of $271 million each to pay the same tax rate as librarians, police officers, air traffic controllers, and others—secretaries, as Mr. Buffett talked about.

The truth is, Republicans are just defending the economic policies that besieged the middle class for years. It is class warfare to ask middle-class Americans to get by on less while those same 400 Americans are paying less than 18 percent in their taxes, lower than the secretaries and janitors who work for them.

Let me explain this as well as I can. We will do whatever it takes to protect the middle class and seniors, even if it means the richest of the rich in America have to contribute a little bit more than they do now. We will fight for the policies that create American jobs even if it means CEOs and hedge fund managers making hundreds of millions of dollars every year have to contribute the same amount as teachers or firefighters, whose salaries are a fraction the size of theirs. It is simple fairness.

With 14 million Americans out of work, we have 14 million reasons to put job creation ahead of tax breaks for millionaires and billionaires. As the economist and former Labor Secretary Robert Reich said:

> True patriotism isn't cheap. It's about taking on a fair share of the burden of keeping America going.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TRADE PROMOTION AUTHORITY

Mr. MCCONNELL. Madam President, everyone knows the top issue on the mind of most Americans right now is jobs. What I have said is that the one thing we could all do right now to help spur job creation is to pass the three free-trade agreements with Panama, Colombia, and South Korea. Republicans in Congress have been urging the President to pass these agreements for nearly 3 years. Yet they have languished on his desk for no good reason. It is time to send them up so we can act. At a moment when 14 million Americans are looking for work, it is indefensible for the White House to demand a vote on trade adjustment assistance as a condition for action.

Still, I and others have agreed to allow it so we can finally move ahead on these vital trade deals. It is my expectation, based on the understanding I have with the administration, that the President will stop dragging his feet soon and submit all three of them for a quick approval. At long last, U.S. businesses that want to expand here at home but which have been held back by the President's refusal to act will be able to compete on a level playing field in these markets, and it will create jobs in the process. These agreements, while helpful, are not enough.

In order to create the kind of jobs we need, we need more trade deals than these three. That is why I have been a strong advocate for granting this President the same trade promotion authority every other President has enjoyed since 1974. Also known as fast track, TPA creates expedited procedures for congressional consideration of trade agreements that the administration negotiates with our trading partners. TPA has long had bipartisan support and led to numerous trade agreements with 17 new countries during the Bush administration, including the 3 we hope to consider shortly.

Unfortunately, Democrats and their union allies allowed TPA to expire in 2007. This President has made no effort whatsoever to revive it. Without TPA, the United States will likely never agree to another deal. The unions will make sure of that. We have seen what happens next. After the North American Free Trade Agreement passed in 1993, TPA expired, and in the 8 years that followed the United States did nothing, while other countries moved ahead integrating themselves in the global economy. We cannot let that happen again. We cannot miss more opportunities to compete in foreign markets with U.S.-made products just because unions do not want to.

Consider this: According to the Business Roundtable, while our trade agenda has lapsed, the European Union is negotiating 16 trade agreements with 46 countries. Japan is negotiating 7 agreements with 38 countries, and even China is negotiating 11 agreements with 18 countries.

What about the United States? We have signed none since this administration began, and we are actively negotiating only one, a pact that will open opportunities to American businesses and workers across the Pacific Rim. I and many of my colleagues and many of our allies overseas want to know what is the President's plan to enact that one deal if he does not ask for, has not received, and does not even seem to want trade promotion authority; is he ready to watch all these opportunities vanish? We cannot allow these opportunities for American jobs to simply drift away.

We must reauthorize TPA, along with TAA. Historically, TPA and TAA have moved together; in 1974, when TPA was created; in 1988, when it was reauthorized; and again in 2002, when TAA was expanded to its current prestimulus levels. That is why I am offering an amendment that will grant this President trade promotion authority through 2013. It is the same term the Democrats are insisting we reauthorize trade adjustment assistance. My amendment builds into it the same accountability to Congress and the need to consult with Congress that previous TPAs have had. It is based on legislation offered by a bipartisan pair of trade leaders, Senator PORTMAN and Senator LIEBERMAN.

We are going to hear Democrats arguing we have not had enough time to carefully consider this expansion of trade promotion authority and work on the negotiating objectives we generally include in the bill. I would remind them I first called for TPA last May. Since that time, I have heard nothing from my Democratic colleagues or the White House about their interest in renewing this authority. There has been zero outreach. When I suggested I would be willing to support an extension of TAA if we could reauthorize TPA, there was nothing.

In my view, if the White House will not show leadership on this issue, if they are too worried about owning other free trade agreements or as being seen by some of their allies as promoting them too aggressively, it is my view we ought to help them get there. That is why I am offering this amendment to show the world some in Congress are ready to move forward and lower the barriers that keep American goods out of foreign countries and which American consumers all benefit from our integration into the world economy.

With 14 million Americans out of work and thousands of Americans looking for opportunities to sell American-made goods around the world, we cannot afford to wait, as we did on these three free-trade agreements, while the administration makes up its mind that American jobs are more important than appeasing their union allies.

I yield the floor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Tennessee.

STEPPING DOWN FROM REPUBLICAN LEADERSHIP

Mr. ALEXANDER. Madam President, I thank my friend of 40 years, the Republican leader, for being here for these remarks I am about to make. I thank my colleague, Senator CORKER, and several other of my Republican colleagues for, on very short notice, coming to the Senate floor for these brief remarks.

Next January, following the annual retreat of Republican Senators, I will step down from the Senate Republican leadership. My colleagues have elected me as Republican conference chairman three times, and I will have completed 4 years or the equivalent of two 2-year terms at that time. My reason for doing that is this, stepping down from the Republican leadership will liberate me to spend more time trying to work for results on issues I care the most about. That means stopping runaway regulations, runaway spending, but it also means confronting the timidity that allows health care spending to squeeze out support for roads, support for research, support for scholarships, and other government functions that make it easier and cheaper to create private sector jobs.

I wish to do more to make the Senate a more effective place to address serious issues. For 4 years in our caucus, my leadership job has been this: to help the leader succeed, to help individual Republicans succeed, to look for a consensus within our caucus, and to suggest a message. I have enjoyed that. However, there are different ways to offer leadership in the Senate, and I have concluded, after 9 years, this is now the best way for me to make a contribution.

It boils down to this: Serving in this body, as each one of us knows, is a rare privilege. I am trying to make the best use of that time while I am here. For the same reason, I plan to step down in January from the leadership, I will not be a candidate for leadership in the next Congress. However, I do intend to be more, not less, in the thick of resolving issues, and I do plan to run for reelection in the Senate in 2014.

These are serious times. Every American's job is on the line. The United

States still produces about 23 percent of the world's wealth, even though we only have about 5 percent of the world's people. All around the world people are realizing there is nothing different about their brains and our brains and their using their brain power to try to achieve the same kind of standard of living we have enjoyed in the United States.

As a result of this, some have predicted that within a decade, for the first time since the 1870s, the United States will not be the world's largest economy. They say China will be. My goal is to help keep the United States of America the world's strongest economy.

There are two other matters that are relevant to the decision I am making that I would like to address. The first is this: When I first ran for the Senate in 2002, I said to the people of Tennessee—and they were not surprised by this—that I will serve with conservative principles and an independent attitude. I intend to continue to serve in the very same way.

I am a very Republican Republican. I grew up in the mountains of Tennessee and still live there in a congressional district that has never elected a Democrat to Congress since Abraham Lincoln was President of the United States. My great-grandfather was once asked about his politics. He said: I am a Republican. I fought for the Union, and I vote like I shot.

I have been voted five times by Tennessee Republicans to serve in public office. I have been elected three times by Senate Republicans as conference chair. If I could get a 100-percent Republican solution of any of our legislative issues, I would do it in a minute. I know the Senate usually requires 60 votes for a solution on serious issues, and we simply cannot get that with only Republican votes or only Democratic votes.

Second, by stepping down from the leadership, I expect to be more, not less, aggressive on the issues. I look forward to that. The Senate was created to be the place where the biggest issues producing the biggest disagreements are argued out. I don't buy for 1 minute that these disagreements create some sort of unhealthy lack of civility in the Senate. I think those who believe the debates in our Senate are more fractious than the debates in our political history simply have forgotten American history. They have forgotten what Adams and Jefferson said of one another. They have forgotten that Vice President Burr killed former Secretary of Treasury Alexander Hamilton. They have forgotten that Congressman Houston was walking down the streets of Washington one day, came across a Congressman from Ohio who had opposed Andrew Jackson's Indian policy and started caning him, for which he was censured. They have forgotten there was a South Carolina Congressman who came to the floor of the Senate and nearly killed, by hitting him with a stick, a Senator from Massachusetts. They have forgotten that another Senator from Massachusetts, named Henry Cabot Lodge, stood on the floor and said of the President of the United States, Woodrow Wilson: I hate that man. They forgot about Henry Clay's compromises and the debates that were held during the Army-McCarthy days. What of the Watergate debates? What of the Vietnam debates?

The main difference today between the debates in Washington and the debates in history are that, today, because we have so much media, everybody hears everything instantly. If one would notice, most of the people who are shouting at each other on television or the radio or the Internet have never been elected to anything.

It would help if we in the Senate knew each other better across party lines. To suggest we should be more timid in debating the biggest issues before the American people would ignore the function of the Senate and would ignore our history. The truth is, the Senators debate divisive issues with excessive civility.

I have enjoyed my 4 years in the Republican leadership. I thank my colleagues for that privilege. I now look forward to spending more time working with all Senators to achieve results on the issues I care about the most—issues that I believe will help determine for our next generation what kind of economy we will have, what our standard of living will be for our families, and what our national security will be.

I thank the Presiding Officer, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Madam President, I would say to my friend of 40 years that even though there are a number of colleagues on the Senate floor, I am confident we all agree this is not a eulogy in which we are about to engage. Really, I have a great sense of relief that my friend is going to run again in 2014 and continue to make an extraordinary contribution to the Senate and to America.

When I first met LAMAR he was at the White House. I had just come here as a legislative assistant to a newly elected Senator. He had already accomplished a lot. He had been elected Phi Beta Kappa at Vanderbilt and graduated from New York University Law School. He had clerked for a well-known circuit judge, been involved in Howard Baker's first campaign, had helped him set up his first office, and that was before I met him.

Since I have met him, as many of my colleagues are already aware, it is hard to think of anybody—it is hard to think of anybody—who has done more things well. He went home in 1970 and ran a successful campaign for, I think, the first Republican Governor of Tennessee elected, certainly, since the Civil War. He ran for Governor himself in a very bad year in 1974. It didn't work out too well. But one of the things we know about our colleague LAMAR is that he is pretty persistent. So he tried it again in 1978. He was elected Governor, reelected Governor in 1982—a spectacular record.

Then he did something very unusual. I remember knowing about it at the time. I kept up with him since we had met years before when we were in Washington. He took his entire family and went to Australia for 6 months. He put the kids in school there and actually wrote a book called ''Six Months Off,'' which I read then. I don't know how many books Senator ALEXANDER sold, but it was a fascinating review of basically just taking a break, going somewhere else, doing something entirely new before getting back on the career treadmill that we, of course, knew he would do.

So once the Australian experience was over, this extraordinarily accomplished and diverse individual became president of the University of Tennessee. That was back when they used to play football, and then-President Bush 1 asked him to become Secretary of Education. So he was a Cabinet member.

Oh, by the way, I think I left out that at his mother's insistence he became quite proficient at piano. He is a fabulous piano player and musician. My mother let me quit. That was the only mistake she made in an otherwise perfect job of raising me. But Senator ALEXANDER's mother, by insisting that he continue to take piano, gave him that dimension as well.

So here we have a guy who has been Governor, president of his university, a member of the Cabinet and, as if that were not enough, he went into the private sector and started an extraordinarily successful business, which did very well. I expect our colleague from Tennessee thought his public career was over, but then Fred Thompson decided he wanted to go do something else. All of a sudden he was in the Senate—not just in the Senate but then became a leader in the Senate in a very short period of time.

We have had an opportunity to get to know our colleague. It is hard to think of anybody more intelligent, more accomplished, as well as more likeable than LAMAR ALEXANDER.

So I must say to my good friend from Tennessee, I am relieved he is not leaving the Senate. This is not a eulogy, but it is an opportunity for those of us who have known and admired the Senator from Tennessee for a long time to just recount his extraordinary accomplishment during a lifetime of public service. It has been my honor to be his friend, and I will continue to be his friend, and I am glad he will continue to be our colleague.

I yield the floor.

Mr. ALEXANDER. Madam President, I thank the Republican leader. I am deeply grateful for his comments, with one single exception. I have great confidence in Derek Dooley. He is a fine

football coach at the University of Tennessee. They are playing very good football, and I intend to be at my usual seats at the Georgia game in 2 weeks.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Madam President, I wish to say to my colleague I certainly have enjoyed his comments, and I am excited for him. I sit very close to him in the Senate, and I am with him a great deal. I do plan on keeping a cane out of the reach of my colleague for a few days.

I very much appreciate his service and leadership to the Republican Party in the Senate. I think in his position he has brought out the best in all of us in the best way he could. I am excited for him. I look at this as a great day for the Senate. It is a great day for our country. This is a great day for the State of Tennessee.

I can tell my colleague, based on the conversations we have had and the way I know my colleague, the Senate is going to become very quickly a more interesting place to serve. For all of us who have been concerned about our lack of ability to solve our Nation's greatest problems, I look at what the Senator has done today as a step in the direction toward us being able as a body to more responsibly deal with the pressing issues he outlined in his talk.

So I thank my colleague for having the courage to step down from a position that many Republican Senators would love to have. I thank my colleague for the way he serves our country. I thank him for the example he has been to so many in his public service in our State and in our country, and I thank the Senator for being my friend.

The ACTING PRESIDENT pro tempore. The Senator from North Carolina.

Mr. BURR. Madam President, I rise today to echo the comments of colleagues earlier about the contribution of LAMAR ALEXANDER, our friend and colleague, as well as somebody who has had an impact not just on the State of Tennessee but on the United States of America. I think one of the toughest things a Member of the Congress can do is to, No. 1, step down from leadership, or, No. 2, voluntarily leave the body.

I think it says more about LAMAR ALEXANDER than any comments that can be made; that he understands where he is going, and I think he stated it very well. His contribution to the future of this country is what he is most concerned with, and that is why this country is blessed to have leaders such as he. We welcome him back into the ranks of the normal, the general population of what has been the asylum of late. I hope LAMAR will be a great influence in our ability to get the body of deliberative debate and participation back, and that is certainly his quest.

One of his passions, though, is education. I was shocked he didn't mention that in his litany of areas he would delve into. But I know earlier last week he and I and others introduced five reforms to K–12 education.

When we talk about the future, whether it is Senator ALEXANDER or myself or others, we say the future of this country is conditional upon how well we educate the next generation and how we make sure the next generation has the foundational knowledge they need to compete in a 21st-century economy.

I think it is safe to say today our record is not good. Just 70 percent of our high school seniors graduate on time. Let me say that again: 70 percent of our high school seniors will graduate on time. Many of those will never go back. They will not cross the goal line. In today's economy, their likelihood of being invited for a job interview is slim to zero.

We have Federal laws that require an employer to accept an application from whoever walks in the door. However, when it gets down to the interview process, I can assure my colleagues that when employers look at that résumé and it doesn't have high school graduation on it, they will certainly invite others who at least have that threshold of education, if not further degrees. So I think we owe it to the next generation to be candid with them and tell them that this is a minimum to have an opportunity for unlimited success.

If we ever get to a point that this is not about an opportunity of unlimited success, America will have changed greatly, and I think that is one of the passions Senator ALEXANDER has. That is why he is so involved in issues such as education and why he is willing to sacrifice leadership for greater involvement in the policies.

In the bills we introduced last week, there were two that LAMAR and I did together. Let me share with my colleagues what those bills do.

Today, we have 97 authorized programs and 59 of them are funded. They are all funded individually. That means we make money available to a State and consequently to a school district. But their requirement to access that money is they have to do exactly what we structured in the program. Many schools do not need that program, and they forego that money. Yet on the Senate floor we have debated frequently the need to get more resources into especially at-risk school districts to bolster that foundational education.

We simply leave title I alone—it is targeted at a specific population—but we take all these other 59 programs that were funded last year and meld them into two pots of money: One pot is designed for improvement in teaching and learning; the other pot is designed for safe and healthy student block grants.

You might say: Well, what if a school system does not need a fund for improvement of teaching and learning, but they do need more money for safe and healthy students? We allow 100 percent transferability between those two areas. So if a school system purely needs teaching and learning, and they want to focus on all of that, they will take that safe and healthy student block grant money and put it over into teaching and learning. By the same token, for school systems that might not see the benefits there, but they have a growing title I population, we allow 100 percent transferability up to the title I program.

What are we trying to accomplish? We are trying to do what school systems have told us year after year, decade after decade: Give us more flexibility. Let us decide what it is we need for our students to learn. This is not about input. This is about output. This is about focusing on how we improve education to where every child crosses that goal line of success; that then the foundational knowledge base is so great that they are marketable in whatever direction our economy decides to go.

The challenge for us—a lot like what Senator ALEXANDER did today; he gave up power, a position in leadership—it means the Congress has to give up the power of deciding exactly how every school system is going to implement programs. We have to be big enough to realize that the one-size-fits-all structure from Washington does not work; that every school system in America is a little bit unique; and, yes, we recognize the fact that not every State is necessarily the best fiduciary of the funds. This legislation only requires the States to siphon off 1.5 percent of the money. We are not going to build a palace or create a bureaucracy in State capitals in education off of these programs anymore. The intent is to take this money and put it into the classroom; make sure the skills of the teacher are better; make sure, in fact, we are teaching teachers the right way to teach today.

I know we are not allowed to have electronics on the Senate floor. We hide them in our pockets real well. Kids are not allowed to have electronics in school. They hide them in their pockets real well. When we all leave where it is prohibited, this is the first thing we pull out of our pockets. We check our messages. We check sports scores. We check the news. Some of us old people make phone calls. But we have a generation that does nothing but text.

They are different than I am. I am a little bit different than LAMAR. Every generation is going to be different. But walk in a classroom today, and the first thing a teacher says is, Open your book to page 44. Yet in between the covers of a book we have a generation that has never delved into it. They have gone between the covers of their iPad, their Kindle, their PDA in their pockets. They read books, they play games, but they do it in a different way.

It is time for us to recognize the fact that they learn differently because they communicate differently. Our ability is to take somebody my age who still has a passion for the classroom and to change the way they teach

through how we take them through continuous education. You see, effectiveness is, in part, connecting with the people we are trying to teach. If we do that in the right way, we are going to be successful.

I am not trying to create the model in Washington and to say to the States and localities: Here is the only way you can do it. We are trying to give them the flexibility of the money, and let them design the programs they think will work. Again, with that, though, it requires us to let go of that power of accountability. There is no reason for Washington to be accountable for every K–12 system in this country. We can be a partner, and I think the appropriate role is a financial partner. But as to accountability, I do not want to be in Washington determining whether a school is a pass or a fail or whether a teacher is highly qualified. At best, it is arbitrary that we would come up with something.

I want to empower communities, I want to empower parents, I want to empower the business community to say: You determine success and failure. I want to empower principals and administrators: You determine whether teachers are qualified.

I do not want to sit in Washington and define how pharmacists who have lost their passion to work in a drugstore cannot shift over and become chemistry teachers in a high school because I have determined they are not qualified to do it. Yet, day in and day out, I would go into the pharmacy, and I would allow them to compound drugs for me. But they cannot go in a classroom and explain to kids how that works or, more importantly, how the interaction of compounds actually happens. That is not my role. It is not our role. Our role is to encourage, by making sure the tools are there for those closest to the problem to come up with solutions.

Well, what we did last week was a minor step in the right direction. I hope my colleagues will look at the legislation and will entertain cosponsoring it. I hope the Secretary of Education will look at it, even though we have had conversations that have continued since the first of the year, and we have a ranking member and a chairman engaged in the reauthorization of elementary and secondary education right now. I hope we influence their ability to get some type of an agreement.

But I think it is also important to understand that within the context of this issue are things that all of us know work. Let me give you a couple examples.

Senator KIRK introduced a bill on expansion of charter schools. Why is that important? It is not important because we simply want to create competition with the public model. Charter schools have become an incubator of new ideas, of new ways to teach.

In Houston, TX, some former Teach for America students created KIPP Academy and immediately had such success that they exported KIPP Academy to New York. Their intent was to go from New York to Atlanta, and somehow they happened to stop in Northampton County, NC, in a little town called Gaston. It is in the middle of nowhere. But like all of North Carolina, it is beautiful. Its students are at risk. There is no economic driver in that county. But for some reason, KIPP stopped there and created a school. Now we have taken underperforming students and through KIPP all of them excel.

I can take you to Charlotte, NC, where KIPP finally found a home and was located next door to the elementary school. There is no way anybody can claim they draw from a different population. They draw from the same school neighborhood. Yet if we compare KIPP to the traditional elementary school next door, the performance of those students is off the charts. At some point, we have to look at it and say: This model works. How do we replicate it? But we are hung up in that one is public and one is charter.

Well, let me tell you, if we could replicate all of them to be KIPP, I would not care what we call them, and I would care less about how we funded them. I would only care about the outcome, how many students have the education foundation we need. In KIPP's case, it is almost 100 percent.

One big component of KIPP is the fact that they plug in to Teach for America graduates, teachers who enter the system knowing that for a period of time their agreement is they are going into at-risk areas; they are going in dealing with students ''somebody'' has deemed hard to complete the process. They go in with a different passion. They do not go in surprised with the makeup of the students in their classroom on the first day. They go in expecting this job to be tough, knowing their creativity and their innovation is going to be challenged.

What we have found so far is that for those Teach for America graduates, they end up staying longer than, in fact, the contractual period of time. They find it is much easier, but also much more satisfying, to take the most at risk and to make sure they have that education foundation that is needed.

That is incorporated into these bills. It is not just left to a simple line item that, in this particular case, I think, has been zeroed out in the President's budget. But it can be incorporated into this where we cannot only fund but we can expand Teach for America. With Senator KIRK's bill we can expand what KIPP is doing. We can challenge other individuals in other areas of the country to create KIPP-like models that work.

My challenge today is to assure all Members of the Senate and all Americans. Our kids deserve us to try. We have been dictating from Washington for decades, and we continue to see 30-plus percent of our kids not reach that goal line. If they do, they do it in a way that is not necessarily advantageous to their future.

If we want our country to continue to prosper, if we want to continue to be the innovator of the world, then we have to create a pool, a generation of kids, where 100 percent of them are prepared to compete. I think that is exactly why Senator ALEXANDER stated he was willing to give up the rein of leadership, to be more integrally involved in the solutions that are crafted on this floor and in this Congress. That is why I said earlier, America has benefited because we have people such as LAMAR ALEXANDER here.

I am convinced that over the next several months, the reauthorization of elementary and secondary education will be front and center. I can only ask my colleagues that they spend the time looking at some of the suggestions that are on the table already. Authorship means nothing to me. It is outcome. Change the bill in a way that still stays within this framework—I will be a cosponsor of anything. Start to make Washington more dominant in the control of how the money is used or what the programs look like—I have been there. We have tried that. Not only does it not work, educators have told us it is increasingly more frustrating for them and they will drop out of the system.

We have to create a system that is a magnet for talent, a magnet for people who are as passionate as LAMAR ALEXANDER, something that gives us hope in the future that our kids have a better chance of succeeding than they have had over the past few decades. I think the Empowering Local Educational Decision Making Act of 2011 is a start, and I think the next generation is worth the investment of time on the part of our Members to look at this legislation and to get behind it.

I thank the Acting President pro tempore and yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FEMA FUNDING

Mr. SCHUMER. Madam President, first, I would like to talk a little about the upcoming FEMA bill. As I understand it, the House intends to send us a CR with FEMA funding only at the level of $3.65 billion, which is a level that is completely inadequate to meet FEMA's needs. They intend to put $1 billion in for 2011, which is more than is actually needed in 2011, but then they ask that it be paid for with $1.5 billion, which is not the way mathematics is supposed to work.

The real problem is that the total amount of $3.65 billion is inadequate given the terrible tragedies we have had over the last several months and years. We are still rebuilding from Katrina, the Joplin tornado was devastating, and, of course, the storms that hit the Northeast, including my beloved State of New York, were just awful. Just in New York State alone, it is estimated that cleanup costs will be closer to $2 billion. So you can imagine that $3.65 billion is not even close to enough.

The good news is what we intend to do here under the leadership of Majority Leader REID, which is to take the CR they send us and add to it the very bill that passed last Thursday night, which adds approximately $7 billion to FEMA. That is the amount of money that is needed. It adds some money to the Army Corps of Engineers, the U.S. Department of Agriculture, and other places the Governors of the States have told us are needed. And given the fact that 10 Republicans voted for it, we have every expectation that amendment will pass and we will send it back to the House. So the House should understand there will be a measure to adequately fund FEMA, and we will do that this week. Again, we have every expectation that the 10 Republican Senators who voted with us last Thursday night will cast the same vote on the same exact measures because the disasters in their States are not any less this week than they were last week.

BUDGET DEFICIT

I also wish to address the President's proposal on the budget deficit, particularly on the tax side, and the many arguments being tossed around by many of our colleagues on the other side of the aisle.

Yesterday, the President put forward a blueprint for the joint committee to consider this fall, and it included a very commonsense principle; that is, those very few among us who are fortunate enough to make over $1 million a year should pay the same effective tax rates at the end of the day as middle-class households.

A number of Republicans rejected the President's plan before he even announced it. As soon as it was suggested that we should ask the wealthiest few among us to pay their fair share, many on the other side began labeling it class warfare. Apparently, they think they can slap that old label on the President's proposal and be done with it. But their refusal to address the proposal on the merits is revealing. They know they will lose any argument about the policy itself because it makes sense economically and because the American people support it. Even Republicans in the country—59 percent in a recent poll I saw—support the wealthiest among us paying a fair share and support not giving them the continued Bush tax breaks at a time when we have record deficits and we are asking everybody else to sacrifice.

This is, emphatically, not class warfare. It is not class warfare to fight for the middle class, that is for sure. It is not class warfare to say we need funding for roads and bridges and teachers and that the wealthiest among us should pay their fair share to do it. Let me ask a question, Madam President. Is it class warfare when Republicans advocate tax cuts for the wealthy? Do we call that class warfare?

The debate about the progressivity of the Tax Code has existed for over 100 years in this country, and there are different policy prescriptions. Most Democrats and most Americans believe the wealthy don't pay their fair share. That is not to begrudge the money they have made. There are a lot of wealthy citizens in my State, and I am proud of them. I am proud they made a lot of money. And many of them believe they should pay a fair share. It is not just Warren Buffett. It is not class warfare to ask that. It is not class warfare to advocate tax cuts for the wealthy or tax increases for the middle class. That is not class warfare. To try to call it this name is unfair.

Let me make a second point. We have a need to do this. The President is not proposing things such as the Buffett rule out of vengeance. He said yesterday: ''It's not because anybody looks forward to the prospects of raising taxes or paying more taxes.'' But we do have a consensus that has been reached here—it is one of the few—that we should reduce the deficit. We all know we have to. There are two ways to do it. One is by cutting spending, and when we cut spending, it hurts middle-class citizens. Middle-class citizens need help to pay for college; wealthy people don't. So if you cut student loans or Pell grants or Stafford loans that go to the middle class, it is not going to affect wealthy citizens—they can afford college themselves—but it does affect the middle class. When you cut Medicare, it doesn't hurt the wealthy. They can afford any doctor or hospital they want. God bless them. They have earned their money, and they deserve that. We don't have a system that mandates everyone must have the same. But it sure hurts the middle class.

So the bottom line is very simple: If everyone has to pay their fair share so we can get the deficit down, the only way the wealthy pay their fair share is by making sure their tax rates are at least the same as average Americans, and perhaps they should be a little bit higher. So there is a choice.

We don't do this because we want to raise taxes and certainly not because we think the wealthy have gotten an unfair advantage. That is a different argument, and I don't believe that. I am proud when New Yorkers or Americans climb the ladder and make a lot of money due to hard work and their ideas. We do it because we don't want to lay off more teachers, because we don't want to see our infrastructure crumble, because we don't want to say we can't create jobs, and yet we don't want to increase deficit spending. If we want to keep the deficit down but keep our schools good and our infrastructure good and our basic research good, the only way to do it is to ask the wealthy to pay a fair share. That is why we do it. And that is not class warfare; that is a policy debate which we welcome.

To sum up that point, either we ask big oil companies to give up special subsidies or we gut education or medical research. Either we ask the wealthiest Americans to pay their fair share or we will have to ask seniors to pay more for Medicare. We can't do both if we want to keep the deficit in line. America's middle class knows this. We know their median income is declining. We know the only place on the economic spectrum where incomes are going up is at the high end, and we know the right policy is to make those folks at the high end pay their fair share.

My colleagues are in for a rude awakening. I have talked to a couple of the people who study the polling data and what the average American thinks. And let me tell you, they think the phrase ''class warfare'' means war on the middle class. They think it means the wealthy get away with what they do not. So when our colleagues talk about class warfare, maybe it resonates with a few on the hard right among the very wealthy who don't want to pay any taxes at all—and Lord knows we have heard enough from them in this place—but to the middle class, it means the middle class is being beleaguered, not being helped, and even being attacked by circumstances beyond their control. So when we say the wealthiest should pay their fair share, middle-class Americans will not see that as class warfare. They will not. They will understand what we are doing.

I am so glad the President has decided to take this fight to the American people. It is a fight where we are on their side. That is what all my experience shows when I go around New York, and that is what the polling data shows. We are doing what is right for the future of this country and for our children and grandchildren.

So let's have the debate and let's dispel this idea that simply because we want the wealthy to pay a fair share, we dislike them and it is class warfare, that it is negative toward them. It is not. It is the right way for all Americans to make the pie grow in America and not have the various parts of America fight with one another because Medicare is being cut, because teachers are being cut and the deficit is going up and hurting our children and grandchildren.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, I wish to thank my colleague from New York, and I would ask the Chair how much time is remaining in morning business on the Democratic side.

The ACTING PRESIDENT pro tempore. Nineteen minutes.

Mr. DURBIN. I thank the Chair.

DEFICIT REDUCTION

Mr. DURBIN. Let me thank my colleague from New York for his statement about the challenges we face. I have been involved for over 1½ years in deficit reduction talks on a bipartisan basis with the Bowles-Simpson Commission, the Gang of 6, now the Gang of 38—I believe was the last number of Democratic and Republican Senators who have publicly stated they are willing to move forward in a process based on the principles of the Bowles-Simpson Commission.

At a time when most Americans have given up hope that Congress will ever work on a bipartisan basis to solve our problems, I hope our effort will be viewed as positive and helpful to the supercommittee's work. We are doing everything we can to make sure they are successful and they have a very difficult assignment and a difficult timetable.

In the meantime, though, I understand, as the Senator from New York, my colleague who spoke earlier, that if we are serious about deficit reduction, it not only must involve cuts in spending, but it also must involve revenue and a serious look at the future of entitlement programs.

Currently, Social Security untouched will pay every promised benefit for the next 25 years with a cost-of-living adjustment; then it runs into trouble—a 22 percent cut in benefits, if we don't do something. The same cannot be said for Medicare. As strong as it is, as important as it is, it has about 12 years of solvency before we have to do something significant. Medicaid, which is a very critical health insurance program for millions of Americans, is threatened by State revenue declines and all the problems we have in Washington with our own deficit.

So these three entitlement programs need to be viewed in an honest context to keep them strong, to protect the basic benefit structure that underlies each of these bills and laws, and we need to do that as well. We need to put it all on the table. It is spending cuts. It is revenue. It is entitlement reform. It all has to come together. When the President says the wealthiest among us should be willing to help us through this crisis by sharing part of the burden, that is not unreasonable.

I have yet to hear the Republican plan for getting this economy moving forward. It appears they have no plan and are dedicated only to protecting those with the highest incomes in America. That is not a recipe for success. It may be somebody's ideas of a campaign platform, but it isn't a platform to build the economy.

I also heard this morning when the Republican leader came to the floor, Senator MCCONNELL, and talked about the need to pass trade agreements. I voted for trade agreements. I believe the U.S. workers and businesses can compete in this world successfully if the rules are fair and we are given a chance with the markets, and I voted for trade agreements in the past.

The Senator from Kentucky asked for us to pass more as soon as possible, but he did say something which caught my attention:

> In a moment when 14 million Americans are looking for work—

Senator MCCONNELL said—

> it is indefensible for the White House to demand a vote on trade adjustment assistance as a condition for action.

I couldn't believe my ears when I heard that. Trade adjustment assistance is designed to put people who have lost their job because of trade agreements back to work. So it is totally defensible, totally consistent, and an important part of economic recovery.

The Alliance for American Manufacturing released a report this morning that 2.8 million jobs have been lost or displaced in America between 2001 and 2010 due to our growing trade deficit with China—2.8 million jobs. As we speak about expanding trade adjustment assistance so those who have lost their jobs to nonfree-trade agreement countries such as India and China, we are talking about putting Americans back to work. This should not be viewed as an obstacle, a diversion or inconsistent with economic recovery.

I couldn't follow the logic of the Senate Republican leader this morning when he was talking about trade adjustment assistance being indefensible at a time of high unemployment. It is totally defensible, totally consistent with putting Americans back to work.

For the record, since 2009, trade adjustment assistance has provided assistance to 447,235 workers in America who have been displaced due to trade agreements. It helps their families with income, with health care, with opportunities for retraining and education.

THE DREAM ACT

Mr. DURBIN. Madam President, it was 10 years ago when I introduced the DREAM Act. It is an important piece of legislation for thousands of people who are living in America who are literally without status, without a country.

The DREAM Act says, if one came to the United States as a child, if they are a long-term U.S. resident, if they have good moral character, if they have graduated from high school and they are prepared to complete 2 years of college or enlist in our military, we will give them a chance to be legal in America. That is what it says.

The young people who are affected by it are many times people who have never known another country in their lives. They got up at school, as Senator MENENDEZ has said so artfully, they pledged allegiance to the only flag they have ever known. They sing the only national anthem they have ever known. They speak English and want a future in America. Yet they have no country. Because their parents brought them to this country as children, because their parents did not file the necessary papers, they are without a country and without a future. The DREAM Act gives them a chance—a chance to excel and prove they can make this a better nation.

The Obama administration recently made an announcement that I think is not only the right thing to do but paves the way for us to give these young people a chance.

We think we have 10 million undocumented people in America, and it is very clear the Department of Homeland Security is not going to deport 10 million people—that is physically impossible—nor should we. I certainly would be opposed to that notion. But what they are trying to do is to remove those people from America who are undocumented who pose a threat to our Nation.

They have been criticized by some. The deportations under the Obama administration are even higher than the Bush administration. They have tried to go after those with criminal records and those who are not going to be a benefit to the United States, and I think that is the right approach to use. But they said recently that they were going to make it clear that those eligible for the DREAM Act, these young people, of good moral character, graduates of high school, and those who are pursuing college degrees, are not going to be their targets. They have limited resources. They are going after the people who can threaten our country, those whom we don't want in the United States. I think that was the right thing to do, and I think that was a policy consistent with keeping America strong and building for America's future. But we need to do more.

In addition to having a sensible policy when it comes to deportation, we need a sensible immigration policy, and I think it starts with the DREAM Act.

I have come to the floor many times and told the stories about the young people who would be affected by the DREAM Act. Let me tell you two stories this morning that I think are illustrative of why this is morally important and important for us as a nation to consider as quickly as possible.

This wonderful young lady whom I have met is named Mandeep Chahal. She was brought to the United States from India 14 years ago, when she was 6 years old. Today, Mandeep is 20. She is an academic all-star. She is an honors premed student at the University of California, Davis, where she is majoring in neurology, physiology, and behavior.

Mandeep has also been dedicated to public service. In high school, she helped to found an organization known as One Dollar for Life, for poverty relief around the world. She was voted

the member of her class ''most likely to save the world.'' At her college, Mandeep is the copresident of STAND, an antigenocide group.

Mandeep has so much to offer America. But, unfortunately, she was placed in deportation proceedings earlier this year. Mandeep and her friends responded the way many young people do today—they went to Facebook and asked for help.

The response was amazing: 20,000 people sent faxes to the Department of Homeland Security to save this young lady from deportation. On the day she was scheduled to be deported, she was granted a 1-year stay.

Her first thought was to try to prevent other people from going through what she had just experienced. So just 1 week after her deportation was suspended, she came to the U.S. Capitol, where I had an opportunity to meet her. She spoke publicly about her experience, and she called for the deportations of all DREAM Act students to be suspended.

I met her while she was here and asked her to explain to me why she wants to stay. She said: ''I will send you a letter,'' and she did. Here is what it said:

> I have spent years in the United States, and consider it my only home. My family, friends, and future are in the United States, which is where I belong. My dream is to become a pediatrician so I can treat the most helpless and innocent among us. I hope to serve families in low income communities who are otherwise unable to afford medical care. I wish to remain in the United States so that I can continue to make a positive difference and give back to the community that has given me so much.

Would America be better off if we deported Mandeep Chahal back to India? I don't think so. She left that country when she was 6 years old. In her heart, she is an American. She just wants a chance to prove it and to make this a better nation.

Let me introduce to you one other person whom I have also met, another wonderful story.

Fannie Martinez, brought to the United States from Mexico 9 years ago when she was 13. She lives in Addison, in the State of Illinois, a straight A student in high school. Earlier this year, she graduated summa cum laude at Dominican University in River Forest, IL, with a major in sociology. This month she is beginning to work on a master's degree at the University of Chicago's Harris School of Public Policy.

Keep in mind, these students who are excelling get no help—none—from the Federal Government. If we think college is a burden now for those who borrow the money or are given grants, most of these students have to earn the money if they are going to go through school.

Let me tell you something else about Fannie Martinez. She is married to David Martinez, who has served in the U.S. Army Reserves for the last 8 years. Here is a picture of the two of them together. David is currently deployed to Afghanistan, putting his life on the line for our country. Yet his worry is not just the enemy in Afghanistan. His worry is that his wife Fannie is going to be deported while he is serving overseas.

Fannie sent me a letter, and here is what she said about her situation:

> My husband is constantly worried about my status in this country. He knows that I am always at risk of being placed in deportation proceedings and he is afraid of not having his wife with him once he returns from Afghanistan. The passage of the DREAM Act will give me the confidence to live without fear and frustration. It will allow me and my husband to plan our future without having to deal with the possibility of my deportation and my lack of opportunities. I care about my community—

Fannie wrote—

> and I know I can help improve society if I am allowed to live in the U.S. and am given lawful permanent residence.

David Martinez, her husband, is willing to give his life for our country. We should give him and his wife Fannie a chance to pursue their dreams—the American dream.

I don't know that I have ever dealt with an issue that has meant so much to me personally because there isn't a place I go in America—anywhere—that I don't have some young person come up and look me in the eye and say: I am a DREAMer. I am counting on you.

They are counting not just on me, but they are counting on the Senate, they are counting on the Congress, they are counting on our government and our Nation to step forward and realize this is the morally right thing to do and that these dynamic, wonderful young people will make this a better nation.

I urge my colleagues, please, put partisanship aside, support the DREAM Act. It is the right thing to do for the future of our Nation.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The majority leader.

ORDER OF PROCEDURE

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Madam President, it is my understanding the majority still has a few minutes left in morning business.

The ACTING PRESIDENT pro tempore. Four minutes.

Mr. REID. I yield that back.

The ACTING PRESIDENT pro tempore. The time is yielded back.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXTENDING THE GENERALIZED SYSTEM OF PREFERENCES

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to proceed to H.R. 2832 is agreed to, and the clerk will report the measure.

The assistant legislative clerk read as follows:

> A bill (H.R. 2832) to extend the Generalized System of Preferences, and for other purposes.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

AMENDMENT NO. 633

Mr. REID. On behalf of Senators CASEY, BROWN of Ohio, and BAUCUS, I call up amendment No. 633.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Nevada [Mr. REID], for Mr. CASEY, Mr. BROWN of Ohio, and Mr. BAUCUS, proposes an amendment numbered 633.

Mr. REID. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. REID. Before noting the absence of a quorum, it is my understanding the Republican leader is on his way to the floor to offer an amendment, and I think everyone should understand there will be no business conducted until he shows up.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

AMENDMENT NO. 626 TO AMENDMENT NO. 633

Mr. MCCONNELL. Mr. President, I call up my amendment No. 626, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Kentucky [Mr. MCCONNELL], for himself, Mr. HATCH, Mr. JOHANNS, Mr. COATS, Mr. LUGAR, Mr. GRASSLEY, Mr. RUBIO, Mr. ROBERTS, Mr. THUNE, Mr. ENZI, Mr. PORTMAN, Mr. HOEVEN, and Mr. CORNYN, proposes an amendment numbered 626 to amendment No. 633.

Mr. MCCONNELL. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

> (Purpose: To provide trade promotion authority for the Trans-Pacific Partnership Agreement and for other trade agreements)
>
> At the end, add the following:

TITLE III—TRADE PROMOTION AUTHORITY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Creating American Jobs through Exports Act of 2011''.

SEC. 302. RENEWAL OF TRADE PROMOTION AUTHORITY.

(a) IN GENERAL.—Section 2103 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803) is amended—

(1) in subsection (a)(1), by striking subparagraph (A) and inserting the following:

''(A) may enter into trade agreements with foreign countries—

''(i) on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013; or

''(ii) on and after June 1, 2013, and before December 31, 2013, if trade authorities procedures are extended under subsection (c); and'';

(2) in subsection (b)(1), by striking subparagraph (C) and inserting the following:

''(C) The President may enter into a trade agreement under this paragraph—

''(i) on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013; or

''(ii) on and after June 1, 2013, and before December 31, 2013, if trade authorities procedures are extended under subsection (c).''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''before July 1, 2005'' and inserting ''on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''after June 30, 2005, and before July 1, 2007'' and inserting ''on or after June 1, 2013, and before December 31, 2013''; and

(II) in clause (ii), by striking ''July 1, 2005'' and inserting ''June 1, 2013'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''April 1, 2005'' and inserting ''March 1, 2013'';

(C) in paragraph (3)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking ''June 1, 2005'' and inserting ''May 1, 2013''; and

(ii) in subparagraph (B)—

(I) by striking ''June 1, 2005'' and inserting ''May 1, 2013''; and

(II) by striking ''the date of enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''; and

(D) in paragraph (5), by striking ''June 30, 2005'' each place it appears and inserting ''May 31, 2013''.

(b) TREATMENT OF THE TRANS-PACIFIC PARTNERSHIP AGREEMENT AND CERTAIN OTHER AGREEMENTS.—Section 2106 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3806) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking the comma at the end and inserting '', or'';

(B) by striking paragraphs (2), (3), and (4) and inserting the following:

''(2) establishes a Trans-Pacific Partnership,''; and

(C) in the flush text at the end, by striking ''the date of the enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''; and

(2) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''the enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''.

Mr. MCCONNELL. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise today to speak about the amendment the majority leader just called up. The Trade Adjustment Assistance Program in particular is what I will focus on in my remarks. I want to, first of all, thank the majority leader for his leadership on this issue, helping us get started today. I am particularly grateful for the strong leadership Chairman BAUCUS has provided, the chairman of our Finance Committee. I thank him and his staff for their tireless efforts, not just leading up to today but over a long period of time. He has been such a strong advocate for this program.

For many months Chairman BAUCUS has led the charge to assure that a strong Trade Adjustment Assistance Program is reinstated because it is important public policy for our workers, to get them retrained and to make sure they have the skills needed to compete in such a tough economy. I appreciate his work.

I also appreciate Chairman BAUCUS's work for many years fighting for workers, especially when their jobs are at risk, their livelihoods and their families' economic security. I thank Chairman BAUCUS and so many others. My colleague Senator BROWN of Ohio has been a tremendous leader on this issue as well.

One thing we all understand, whether we are Democrats or Republicans or Independents, is that we are still in the midst, still in the grip of a jobs crisis all across the country. It knows no geographic boundaries, it knows no party. People are worried, concerned that their jobs will continually be at risk. Some, of course, have already lost their jobs—almost 14½ million Americans at last count.

In the midst of that crisis, it is critically important that we take the steps here to make sure those who want to get back into the workforce, those who want to improve their skills or be retrained in some way or another, have that opportunity. We know in the next couple of weeks the Congress will be taking up free trade agreements. But before we do that, before we begin the debate, before we consider those agreements, we have to make sure our workers have the protections they need to deal with the ravages of unfair foreign competition.

There are lots of ways to talk about this program and this issue. Some of them, frankly, get a little academic. The best way for me to understand the importance of trade adjustment assistance is very much consistent with the recent and unfortunate economic history of my home State of Pennsylvania. In our Commonwealth—by way of one example, but it is the best example I can cite because of the numbers of workers affected—in the Commonwealth of Pennsylvania in the 1970s and 1980s, in a short period of time, in less than a decade, we had tens of thousands of steelworkers lose their jobs. These were folks who worked in steel mills, not just for a couple of years but in many instances decades. They would graduate from high school, go into the steel mill and be virtually guaranteed of a job for the rest of their lives—a good job with good benefits on which they could support their families.

Then we know what happened to those workers and that industry. A lot of their jobs were destroyed in the 1970s and 1980s because of the decline of the steel industry. It is at times such as that, when someone who has worked their whole life and put all of their energies into a job and that job goes away in a matter of weeks or months or a few short years, we have to make sure we are there for them at that moment. One of the ways we can be there for them is with trade adjustment assistance.

I and every Member of the Senate could point to other examples as well, but I remember that horrific history in Pennsylvania where families were destroyed because of the loss of a job.

Our trade policies have hit a lot of American workers very hard. Especially today we are seeing that. I mentioned Pennsylvania's manufacturing jobs as an example. According to an analysis by the Joint Economic Committee, of which I am the chairman, from 1997 to 2010—just 13 years—manufacturing went from 16.4 percent of the gross State product of Pennsylvania down to 12.1 percent. In 13 years, a short period of time, there was that kind of decline in manufacturing jobs, from roughly 16.5 to 12. In total, the job loss in Pennsylvania manufacturing was nearly 300,000 good-paying jobs.

While trade adjustment assistance cannot bring those jobs back, we can take steps to help those workers in a tough time as they transition to new employment, to new skills and to new opportunities. Many displaced workers need considerable training to reenter the labor market. Imagine if any one of us did the same job for years or decades and then had to turn on a dime to adjust to the difficulties in the economy. It takes a while. According to a report by the Joint Economic Committee as well, many of these folks who have lost their jobs are much older than the rest of the workforce. They need to gain a number of skills. Fifty-seven percent of current participants in the Trade Adjustment Assistance Program are 45 years of age or older—57 percent. Trade adjustment assistance can better address the needs of these displaced workers by requiring training and giving additional time for workers to gain the skills necessary to reenter the workforce to prepare to compete in a tough economy, in a world economy.

We know these programs work. We know, based upon the JEC report I cited earlier, 53 percent of those who participated in Trade Adjustment Assistance Programs were reemployed within 3 months; 53 percent were reemployed after 3 months after leaving the program itself. These participants also

found lasting employment, with 80 percent of those workers employed within the first 3 months remaining employed by an additional 6 months.

We know that in 2009, several reforms were made to the program to reflect the realities of the modern workforce and the modern labor market. The amendment I offer today with my colleague Senator BROWN of Ohio would reinstate these reforms, including the following, by way of an economic summary: No. 1, providing trade adjustment assistance benefits to service sector workers; No. 2, covering workers whose firms shift production to non-free-trade agreement partner countries—for example, China and India. We hear a lot of people talking around here about how we have to compete with China and India and keep our workers at a high skill level to do that. This is one way to do that. No. 3, finally, increasing the health care tax credit subsidy to 72.5 percent and hereby addressing one of the most significant costs for those without a job, the cost of health insurance.

We all know, and I know firsthand, the benefits of a strong trade adjustment assistance program based upon what has happened in Pennsylvania over many years.

According to the Department of Labor, from May of 2009 through June of 2011—a little more than 2 years—nearly 10,000 additional workers qualified for assistance due to these essential reforms in Pennsylvania. So the reforms we made in 2009 have helped nearly 10,000 workers in Pennsylvania. If you look at it nationwide, 185,783 additional workers were certified for TAA participation because of those reforms. In total, trade adjustment assistance has assisted nearly half a million people over this time period. Our action this week will ensure that thousands of American workers will be able to count on retraining and other support if they lose their job through no fault of their own.

More and more jobs—and we all know this but it bears repeating—have been sent overseas, leaving workers out in the cold. Nothing they did has caused outsourcing of their job, and yet they are left with the consequences and their families suffer with those same consequences. To get jobs in new industries, workers need new skills. They need to be retrained and introduced to new skills. Trade adjustment assistance helps those workers hurt by foreign trade get back to work, while also ensuring workers have a skilled workforce at the same time.

Finally, let me urge all my colleagues to support this amendment. Trade adjustment assistance has a long and proud history of bipartisan support in the Senate, and I hope we can continue that with this amendment and with this work. Those who have been affected by this know this story better than I or better than any of us, and it is about time we stood with those workers when they and their families are suffering.

I would yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask unanimous consent that immediately following my remarks, if it is all right with the distinguished Senator from Ohio, the former Trade Representative, the other distinguished Senator from Ohio, Mr. PORTMAN, be allowed to give his remarks.

The PRESIDING OFFICER. Is there objection?

Mr. BROWN of Ohio. No.

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

Mr. HATCH. I apologize to Senator BROWN, but Senator PORTMAN was promised he would be able to speak at 11:45.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. I thought Senator HATCH said that the senior Senator from Ohio, then the junior Senator from Ohio.

The PRESIDING OFFICER. The UC request is for the Senator from Utah, the junior Senator from Ohio, then the senior Senator from Ohio.

Mr. BROWN of Ohio. I didn't understand that from my conversations, but I do not object.

Mr. HATCH. Mr. President, I strongly oppose the TAA amendment offered by my good friend and colleague from Montana, Chairman BAUCUS. Before I get into the specifics, I think it is important to put this debate in context. For years I have been working to ensure that our pending trade agreements with Colombia, Panama, and South Korea receive fair consideration in the Senate. Unfortunately, while I worked to get these agreements approved, others placed obstacles in the way. As a result, days, weeks, and months passed. Eventually those months turned into years. Now 4 years later, we are taking out the sixth renewal of trade adjustment assistance in the time these trade agreements languished. To me, it is highly ironic that we not only passed but expanded legislation to help workers who are allegedly harmed by trade agreements five times over the last 4 years, while we have yet to pass a single trade agreement.

This March President Obama made himself perfectly clear: Unless Congress agreed to spend more money for this pet trade priority, he would never send a trade agreement to Congress and U.S. workers would never benefit from these agreements. Basically, the President held U.S. exporters hostage while he squeezed more spending out of Congress.

Despite my deep disappointment in the President's failure to make these agreements a priority, I am pleased we are having this debate today. Earlier this summer the administration tried to jam the domestic spending program into the Korea Free Trade Agreement implementing bill. I strongly opposed this move. I believe it violated longstanding trade rules and seriously jeopardized approval of the South Korea agreement.

I strongly encouraged the White House to reconsider so we could have a robust debate with TAA considered solely on its merits. After all, if there is such a strong bipartisan support for the program, it should not be shielded from a debate and vote in an open forum. It appears the administration realized their position was untenable in the face of unequivocal Republican opposition. Thankfully they chose to heed my advice and today we have an opportunity to consider and fully debate TAA.

If TAA passes the Senate, it should remove what we hope is the last obstacle the President and his party placed in front of FTAs. We will see. To date there is little evidence that the President is finally ready to step up to the plate. It has not been for lack of effort on our part. House leadership made it clear that TAA will be considered in tandem with the FTAs, as the President requested. Chairman CAMP worked with Senator BAUCUS to develop a substantive deal on TAA, as the President requested. Despite my deep reservations about the program, a number of my Republican Senate colleagues stepped up in support of the TAA compromise negotiated by Chairman BAUCUS and Chairman CAMP and even put their assurance in writing to support TAA. Before the August work period, Senators MCCONNELL and REID articulated a process for consideration of TAA and the FTAs, as the President agreed or requested.

Still the administration refuses to provide any real assurance that it will actually send the pending free trade agreements to Congress for a vote. I am very disappointed we still have not heard definitively from the White House that they will send up the three FTAs. As for the trade adjustment assistance amendment before us today, I wish to summarize for my colleagues my concerns with the proposed expanded program, and my objections to additional domestic spending for this program at a time of immense budget difficulties.

First, there is little evidence that the TAA Programs actually work. In fact, the opposite is true. Recent studies by professors at American University have found that the TAA program:

> . . . has no discernible impact on the employment outcome of the participants.

If that is the case, I cannot understand why we would expand this ineffective program.

This summer I was surprised to learn from an article in the Wall Street Journal that the Department of Labor is 4 years late on producing a report to Congress intended to demonstrate that the numerous Trade Adjustment Assistance Programs actually improve the employment outcome for TAA participants. Yet today we are considering an amendment to not only reauthorize the program for 3 years but to make many of the benefits retroactive. Before we authorize $1 billion more in

taxpayer spending, shouldn't we know if the program actually improves the job prospects for TAA beneficiaries?

My friend and colleague from Oklahoma, Dr. COBURN, has made it a priority to identify and eliminate wasteful government programs. In his first report on the subject, the Government Accountability Office identified dozens of programs without any identifiable metrics on whether they actually succeeded in their mission. At a time of crushing budget deficits and increasing debt, Congress could easily start by eliminating these programs that have no proven track record of success and, in my opinion, we would have to put TAA at the top of that list. Consider that we are still waiting on the report from the Department of Labor on TAA's efficacy. I suspect if the facts and data clearly demonstrated benefits to workers participating in the TAA Programs, the report would have been issued years ago. I am sure this report will be issued, but only after TAA has been passed. I cannot support increasing funding for a program without any real evidence that it works. Some will argue more people are using the program, therefore it must be working. I strongly reject that argument. Spending more money and certifying more workers does not mean a program is succeeding. It simply means the program is expanding, and that is my second concern. Like many Federal Government programs, this domestic spending program continues to grow and grow. TAA money now goes to farmers, firms, community colleges, and service workers. Even more troubling, the critical nexus between job loss caused by trade agreements and TAA eligibility has been jettisoned. Today all workers who lose their jobs allegedly due to ''globalization'' could be eligible. As the global economy and global supply chains become more integrated, I suspect the potential number of beneficiaries and the cost to the U.S. taxpayer will grow enormously.

Third, at a time when we need to severely constrain Federal spending, this program increases it. In 2009, TAA was significantly expanded as part of the President's failed stimulus bill. Most of those increased costs are included in the TAA amendment before us today, but there may be additional hidden costs. Because the income support and the health coverage tax credit are entitlements, there is no cap on future spending. Although the health coverage tax credits are to expire when ObamaCare goes into full effect, I have serious doubts that they actually will. History shows again and again it is much easier to create an entitlement than to end one.

As I said, I suspect this program, like most Federal programs, will cost more than expected, especially after unemployment insurance returns to its traditional 26-week level, which will consequently increase the use of trade reallocation allowances and increase the TAA Program's cost.

Fourth, the program is fundamentally unfair. Suppose one of our fellow Americans loses their job or his job because their factory burns down, another loses their job because his or her company could not compete with a domestic competitor, and a third loses his or her job because of foreign competition. How can we tell two of our fellow Americans ''tough luck''? Two can only use the general job training and unemployment insurance programs while the third worker is provided with a host of more training, income support, and health care benefits. This does not seem right to me. Why are we picking winners and losers amongst the other 14 million Americans looking for work?

I am also troubled that although union workers are less than 7 percent of the private sector workforce, union workers receive over a third of TAA certifications. I do not see why we should support this vicious cycle. Unions drive industry after industry into bankruptcy by insisting on restrictive work rules and overly generous compensation and benefits plans, and the taxpayer gets to clean up the mess by providing the now unemployed workers with a new set of benefits far more generous than those received by others. Unfortunately, encouraging vicious cycles appears to be an objective to this administration when it comes to TAA.

Let me share with you another one. By now most of you have heard of a company called Solyndra. It was held up by the President and his administration as an example of the wonders of the stimulus and its ability to transform taxpayer dollars into green jobs. Here is how President Obama described it:

> And we can see the positive impacts right here at Solyndra. Less than a year ago, we were standing on what was an empty lot. But through the Recovery Act, this company received a loan to expand its operations. This new factory is the result of those loans.

Well, the President was right about that. The new factory was a result of the taxpayer-provided loans. According to the Wall Street Journal, those very same taxpayer loan guarantees also were a prime cause of Solyndra's bankruptcy. The ''taxpayer dollars to create green jobs'' alchemy worked about as well as medieval attempts to turn lead to gold.

That is not the end of the story. To ensure the circle of taxpayer losses remains unbroken, the former Solyndra employees have now applied for trade adjustment assistance. That is right. As reported first by Americans for Limited Government, and then confirmed by Investors Business Daily, Solyndra employees have applied to the Department of Labor for trade adjustment assistance.

To recap, the administration provides loan guarantees to a failing company and in the process saddles the taxpayer with over $½ billion in potential liability. These same loan guarantees precipitate the demise of said company, and this, in turn, justifies the receipt of new taxpayer-funded benefits for the now unemployed workers, benefits that go beyond and cost far more than those the other unemployed people in this country receive.

The administration likes to talk about the multiplier effect of new Federal spending, but I don't think this is what they had in mind. For each initial wasted taxpayer dollar, the government multiplies the losses and manages to waste another quarter. Solyndra tried to make solar panels but ran up their costs far higher than even domestic competitors. Ultimately, with costs above the competition, the company failed. Of course, the failure was blamed on China. If you cannot even outcompete U.S. companies, it wasn't foreign competition that ruined your business, it was simply a failed business model.

During our hearing on the South Korea Trade Agreement, Deputy U.S. Trade Representative Marantis testified that the purpose of the TAA Program is to help workers manage the transition to globalization and help workers train to be able to take advantage of the opportunities presented in the new economy.

Well, according to President Obama and Vice President BIDEN, green jobs such as those found at Solyndra were supposed to be the jobs of the new economy. Now that the new economy venture failed, those very same workers are going to be retrained, at taxpayers' expense, for other jobs in the new economy. Government, under the President's green agenda, picks winners and losers and then pays off the losers when it makes the wrong picks. Pardon the American taxpayer for jumping to the conclusion that this plan doesn't make sense.

Let's not forget that a handful of States receive the lion's share of TAA money. Again, this is unfair on its face and represents a distorted allocation of Federal resources.

President Reagan did not graduate from an Ivy League college and he was not the editor of any law review, but the man understood how the economy grows and what types of programs waste precious government resources. This was his assessment of TAA:

> The purpose of TAA is to help these workers find jobs in growing sectors of our economy. There's nothing wrong with that, but because these benefits are paid out on top of normal unemployment benefits, we wind up paying greater benefits to those who lose their jobs because of foreign competition than we do to their friends and neighbors who are laid off due to domestic competition. Anyone must agree that this is unfair.

That was President Reagan.

I certainly do, as do most of my constituents, think the last thing this economy needs is another big spending program.

Another important point is that TAA fuels the fire of virulent antitrade propagandists. TAA supporters say the program keeps faith with American

workers and helps build support for trade. I think just the opposite is true. Unions and other antitrade zealots gleefully use TAA data to make the case that trade causes outsourcing and job loss. After all, the number of trade-dislocated workers is certified by the government.

As the program is expanded to include more and more people and entities, including community colleges, firms, farmers, and fishermen, the myth that trade is bad for the American worker finds ready fodder and continues to build. Instead of helping build the case for trade, TAA certifications are used to show that trade is bad. In the end, TAA is really just a government subsidy for an antitrade propaganda.

Many of those dedicated to fighting a market-opening trade liberalization agenda and who are hostile to a thoughtful and ambitious trade policy cite each TAA certification and each TAA benefit conferred as further evidence that trade and trade agreements are bad for America. These same groups use TAA certifications and TAA workers to attack the companies that laid those workers off as outsourcers, even attempting to name and shame the CEOs of those companies. For goodness' sake, why should we expand a program that arms the harshest trade critics with more fodder for their ill-informed and relentless attack on trade?

Finally, TAA should move with TPA. Despite what many of my colleagues and many so-called trade experts say, TAA does not move with trade agreements. In fact, historically significant expansions and reforms to TAA have moved with omnibus trade legislation that included grants of trade negotiating authority to the President.

There is a myth that TAA has always received strong bipartisan support. Again, the historical record does not bear this out. A simple review of a very helpful history of TAA provided by CRS this August shows just how controversial TAA has always been and continues to be and confirms that TAA reforms traditionally move with TPA.

Inexplicably, this President doesn't want TPA trade promotion authority—and the White House is actually encouraging Leader REID and Democratic Senators to vote down a TPA amendment Leader MCCONNELL will offer. Leader REID and Chairman BAUCUS and the White House have also apparently asked the business community to oppose an amendment on TPA as well, despite the fact that the business community has uniformly supported the granting of trade negotiating authority to every President, regardless of party.

This is all baffling to me. But I agree with Leader MCCONNELL that the President needs TPA whoever the President is—as soon as possible, and I can't imagine any President not wanting that authority. As I suspect the Democrats will vote down granting their President trade negotiating authority, I must also be inclined to vote against this TAA amendment.

Much has been said about TAA and that it is the price for free-trade agreements. But we are paving new and dangerous ground by holding three trade agreements hostage to expanded TAA. Each time we have tried to move these agreements, a new roadblock has been erected. And while we dilly and dally, our trade competitors take more of our market share around the world, and American businesses and farms lose more money and more jobs.

There has to be a better way. I urge the President to reconsider his trade priorities. Instead of expending his political capital on expanding the Federal Government, he should liberate the U.S. worker by accepting our offer to provide him with the authority to open new markets to U.S. exports. Our economy is in dire straits, unemployment is sky high, and Federal spending is out of control. We need the President's leadership, and we need it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, let me start by thanking the senior Senator from Ohio for his generosity in allowing me to speak now. I also commend Senator HATCH, who has been a leader in expanding exports and therefore creating jobs for many years, and again he is standing today talking about the importance of us moving forward on a progrowth trade agenda, including giving the President the ability to have trade promotion authority. That is what I wish to talk about today.

Senator MCCONNELL, the Republican leader, introduced an amendment to the underlying legislation saying that, along with trade adjustment assistance, for the same 3 years there also be trade promotion authority given to this President, which all of his predecessors have had. That makes sense. The legislation in the amendment is actually identical to legislation I introduced my first week here in the Senate on a bipartisan basis with Senator LIEBERMAN to provide the President with trade promotion authority. It is incredibly important.

I think it goes without saying that we live in an increasingly interconnected world where the movement of goods and services and people across borders is part of our economy. It is very much an economy where the United States is connected to our global competitors. We are moving forward around the globe on various arrangements, export agreements at a rapid pace. Yet I am sorry to say the United States is simply not a part of that because we do not have trade promotion authority.

These agreements that are being negotiated open markets for workers and farmers and service providers to be able to expand exports, again, of goods and services.

By the way, there are over 100 of those bilateral agreements being negotiated today. Guess how many the United States is party to. None, not a single one. The reason is that we don't have the ability through trade promotion authority to have the United States at the table negotiating to open these markets for our workers and our farmers and our service providers.

There is one agreement on which we are negotiating, a regional agreement called the Trans-Pacific Partnership. I support the continued negotiation there, but, frankly, it is not a bilateral agreement that is likely to reduce barriers significantly.

The United States is getting left behind. We lost trade promotion authority in 2007. It expired. At that time, President George W. Bush came to the Congress and asked for it to be renewed. Then a Democratically controlled Congress said: No, we don't want to give you the ability to negotiate these agreements that help, as Senator HATCH has said, expand jobs in this country.

President Obama's administration has not asked for the authority. In fact, as Senator HATCH has just indicated, they don't seem interested in having it, which is unbelievable to me—that you would not want the ability to negotiate with other countries to knock down barriers to help our workers, our farmers, and our service providers here in this country. But that is where we are right now.

Before the 2007 expiration of trade promotion authority, the United States was active and involved in agreements that knocked down barriers to our exports. There were three agreements negotiated now 3 and 4 years ago, and these were agreements with Panama and Colombia and Korea. Those are the three agreements that have been talked about a lot on this floor over the last day because the trade adjustment assistance we are talking about is related to those three agreements. We need to get them done. They have been languishing for too long. Obviously, the United States, not being able to negotiate anything in the interim period, has fallen behind, but at the least, we should move ahead and ratify these three agreements. The President's own metrics tell us these three agreements alone will generate 250,000 new jobs in this country. Look, with unemployment at over 9 percent, we need those jobs, and the jobs tend to be better paying jobs with better benefits.

What has happened in the interim while we have not moved forward with these agreements? Well, Korea has started a negotiation with the European Union since our agreement was finalized and completed that agreement and now made that agreement effective in July of this year. Exports from the European Union to Korea increased 36 percent in July alone. Our exports to Korea during that time period, by the way, increased less than 3 percent.

What is happening? We are losing market share. We are losing jobs while we sit back and allow these other countries to negotiate. Remember, over 100

agreements are being negotiated, and we are not parties to any of them.

The same thing is happening in Colombia. Since we negotiated the agreement with Colombia, Colombia started negotiating with other countries, including Argentina and Brazil, and guess what has happened. They have completed that agreement, it has gone into effect, and, again, our market share has diminished. We used to provide about 71 percent of the agricultural exports, including corn, wheat, and soybeans, to Colombia when we completed the agreement. Today, that market share is down to 26 percent. That means farmers in Ohio, Montana, Utah, Pennsylvania, and elsewhere are being disadvantaged by our trade policy.

We have to move forward with these agreements. Instead of having increased exports from Seoul, Bogota, Calgary, and Munich, they should be coming from Cincinnati and Cleveland and Columbus and Dayton. Interestingly, Korea and Colombia have now started negotiating an agreement with themselves. Again, we are not moving forward because we are not part of these agreements because we do not have trade promotion authority.

I think these three agreements that I hope the President finally sends to the U.S. Congress for ratification are examples of the kinds of agreements that we could have been negotiating over the past 3 or 4 years and that we should start negotiating tomorrow, by this Senate and the House, giving the President the trade promotion authority he needs to be able to have those negotiations and to open those markets for U.S. products.

The reality is that trade promotion authority is vital for any President to have. Why? Because if you don't have trade promotion authority, the other countries will not sit down at the table and bargain with you. It is a pretty simple concept. If you want to get the best deal from another country, you have to have trade promotion authority because here in America, after we negotiate an agreement at the executive branch level, it has to come to Congress, and other countries don't want to renegotiate an agreement with the U.S. Congress that would be full of amendments and changes. So in order for us to ensure we can get the best deal, we have to give the President trade promotion authority.

Every President since Franklin Delano Roosevelt has asked for this authority and received it. It is unbelievable to me that this President does not want that. I believe he must want it—any President would—and he should ask for it, and we should provide it to him. This amendment does exactly that.

Congress has given TPA authority to Democrats and Republicans alike. It is not a partisan issue. So a Republican Congress has given it to a Democratic President and vice versa.

I stand as a Republican telling my colleagues that I would like to give it to President Obama. The underlying amendment we are talking about provides trade promotion for 3 years, so it would be for the remainder of the President's term and, if he is reelected, for the next couple of years or, if a Republican is elected, for that person. It should not be about party; it should be about our country.

The President has been talking in the last couple of weeks about the fact that he wants products stamped with three words: ''Made in America.'' I couldn't agree with him more. He is saying they should be exported all around the world? How is that going to happen? It is going to happen by opening these markets, by leveling the playing field for us as Americans so we can compete and win.

When we open these markets, we expand exports dramatically.

Think about this: Countries with which we currently have trade agreements which comprise less than 10 percent of the global GDP—think about it. We do not have an agreement with China or the European Union. It is about 10 percent or less of the global economy. Yet that is where we send about 41 percent of our exports.

These agreements are good for us, which is why the Colombia agreement, the Panama agreement, and the Korea agreement, in my view, will be able to pass this floor easily because the facts are there, if the President will just send them. By giving the President trade promotion authority, we could go on and, indeed, make good on his promise to have more products stamped with those three words, ''Made in America,'' sent all over the world.

It is a little bit ironic to me that the underlying bill we are talking about, the TAA, the trade adjustment assistance, is attached to the generalized system of preferences, GSP. It is not legislation I oppose, but it is legislation that opens the United States more to products from other countries. So here we are talking about opening up the United States more with the GSP bill, and yet we are not willing to put in place measures to open up other markets more for the United States of America through trade promotion authority. How does that make sense? But that is where we are.

To my colleagues, I will say, if we are not engaged in opening markets, we are falling behind. America needs to get back in the game again. We need to take a leadership role in global trade. That means giving this President and all future Presidents the ability to negotiate, just as all of their predecessors have had. I strongly urge my colleagues, Democrat and Republican alike, to give to this President the same authority other Presidents have had of both parties. Our economy and the future for our children and our grandchildren depend on it.

Again, I thank my colleague from Ohio for his generosity, and I yield the floor.

The PRESIDING OFFICER. The senior Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I thank the Senator from Ohio for his kind words. I appreciate his support, his public support—he did not speak specifically on the Casey-Brown-Baucus amendment, I do not believe; I had to step out for a moment, but I know he has said positive words about restarting, if you will, trade adjustment assistance, and with some expansion, not quite as good as it was 2 years ago, but still a very important program.

I appreciate Senator PORTMAN's words and his support of expanding it, and I hope he joins with some other Republicans in actually supporting the Casey-Brown-Baucus amendment.

I particularly thank Chairman BAUCUS for his strong support of trade adjustment assistance. Senator CASEY, especially, has pushed for this for, well, almost a year now, when in December we did everything but beg our colleagues to renew this program that helps workers who are unemployed through no doing of their own.

In early 2009, we had written a very good trade adjustment assistance: If you lose your job because of a trade agreement, or if you lose your job because of trade, even if it is a service job—it used to just be manufacturing—you will get two things: One, you will get trade adjustment assistance so you can continue with your life and not get foreclosed on, you can continue to provide for your kids, and you can have a little bit of money to get retrained.

I met a woman in Youngstown not too long ago who lost her manufacturing job to trade. She got TAA. She used that money to go to nursing school at Youngstown State University, and she was in school with her daughter who was also getting a nursing degree. You think: That is exactly how TAA works. There are those examples, I am sure, in Philadelphia and Harrisburg, and I will bet you there are even examples in Provo of trade adjustment assistance working in that way. That is why it is so very important.

At the same time, the language we wrote also gives help for people to continue their health insurance. I was at a place in Columbus not too long ago that specializes in helping people get back on their feet and get work. To hear someone tell a story: First, they lose their job. They do not get much assistance. Then they lose their health care. Then they have to talk to their 12-year-old son and 14-year-old daughter about moving because they lost their home.

Does nobody here—I should not say ''nobody'' because a lot of my colleagues do care, but does nobody here care about somebody who has to sit down with their kids and say: Sorry, honey, we are going to lose our home because of foreclosure because we lost our jobs and we are not getting retrained and finding any work? That, to me, is what this is all about.

I want to talk a little bit about trade adjustment assistance beyond what I said, but I also want to talk about

some of my colleagues' statements about trade and what it has done for this country, to this country. I hear all the theories. Every country in the world practices trade according to its national interests. The United States of America practices trade according to an economics textbook that is 20 years out of date.

In my first year in the House of Representatives, the Congress passed the North American Free Trade Agreement, something I know if Senator CASEY had been here he would have voted against it. I voted against it. I remember the promises, the promises from the free-trade-at-any-cost crowd, that NAFTA would create hundreds of thousands of jobs. They said it with NAFTA. They said it with PNTR with China. They said it with the Central American Free Trade Agreement: If you pass this, it is going to mean more manufacturing and more high-tech jobs and stronger communities. Look what it has meant.

Go to Springfield, OH, go to Ashtabula, go to Lima, go to Mansfield, go to Zanesville, go to Chillicothe, go to Xenia. Look at these medium-sized cities of 30,000, 40,000, 50,000, 60,000 people, and look at what has happened to them. Often in smaller communities—the Senator from Montana, the Presiding Officer, knows this—a husband and wife both work at a plant.

In Jackson, OH, I was walking a picket line with some workers who were locked out, and then the plant ultimately closed. For a number of the people I saw, the husband and wife both worked at this manufacturing plant, each making about $12 or $13 or $14 an hour. They were middle class with their combined income. When this plant moved overseas, their family income was wiped out.

It happens over and over in small towns. It happens in Dayton and it happens in Cleveland and it happens in Columbus and Philly and Pittsburgh and Harrisburg. It happens in small towns and big cities.

Then we see this free-trade-at-any-cost crowd come to the Senate floor and say: If we only had trade promotion authority, we could do more of this because it works so well. Free trade has worked so well for our country.

Why have we lost these hundreds of thousands of jobs? Do you know why? Because the business plan in this country, the business plan, never in world history—I do not think we have seen this ever in world history—is where a business plan for a company is to shut down production in Steubenville, shut down production in Toledo, move that company to Shanghai, move that company to Mexico City, make those products, and sell them back into the United States. So their business plan is to shut down manufacturing in this country, go overseas, hire cheaper workers, in places where there are weaker environmental laws, nonexistent worker safety laws, and sell the products back into the United States.

That is what our manufacturing policy has been. That is why this whole idea of Korea and Colombia and Panama—as if Mexico and Central America and China were not enough—this whole idea of free trade at any cost is bankrupting our country. That is why wages during the last 10 years, during the Bush administration and since—since 2001, wages in this country have gone down. We have lost jobs in this country, almost. We have not grown jobs in this country. It is about what we had in 2001, with a much larger population.

Wages down, job growth flat, and the trade policy is working? So our answer is, let's do more of it, as if NAFTA and CAFTA and PNTR were not enough? Let's do more trade agreements? Let's send more jobs overseas? Also, we can practice trade according to what the Washington Post and the New York Times and the rightwing papers and the leftwing papers and the Harvard economists and the economic elite in this country say? Also, they can follow what they learned in economics 101, taught with a textbook that is 20 years out of date? It is not working for our country.

I was talking on the phone today with a retiree in eastern Ohio, and she had just been with her son who was about to be deployed at his base. She and her husband went and visited her son. He is a marine. She went to the commissary, and do you know what. She bought a hat that said ''Marines.'' I think it said ''Marines.'' She bought a hat. She bought a bunch of stuff at the commissary. Where was it made? Guess. It was not made in Helena. It was not made in Harrisburg. It was not made in Columbus. This is insane. We have American flags that are made abroad. We have products in commissaries that are made abroad. We have products Senator SANDERS spoke out against sold here in the U.S. Capitol that are made abroad. Why? Because we have a trade policy that is morally bankrupt, politically bankrupt, economically bankrupt, and it is not working for our country.

That is why this whole idea of trade promotion authority so we can do more of the same makes no sense at all. But it is also why we need to pass the Casey-Brown-Baucus amendment. When we made the reforms to TAA in 2009, 185,000 additional trade-affected workers became eligible in every State. Mr. President, 227,000 workers in 2010 alone participated in TAA. They got trained for new jobs that employers are looking to fill. I think we all know that we have, even in these bad economic times, jobs that remain unfilled because they cannot find workers with the right skills. This will help to fill that gap. We should all be for this.

According to the Peterson Institute, before the recession hit, between 2001 and 2007, two-thirds of TAA participants found jobs within 3 months of leaving the program. Ninety percent stayed at these jobs for at least a year. It is a program that works. It helps people get health care. It helps people stay in their homes. It helps people get new skills so they can work.

The last comment I will make: I have said enough about the bankruptcy of American trade policy, its moral bankruptcy and economic bankruptcy alike. Our trade deficit in 2010—I do not like to come to the floor and use a lot of numbers—if this is not reason enough, in 2010 our trade deficit was $634 billion. You do know what that means. That means, basically, every day we buy almost $2 billion more worth of goods made abroad than we sell abroad—almost $2 billion a day.

If one-tenth the attention was paid to the trade deficit as we pay to the budget deficit, this would be a better country. We would see more manufacturing in places such as Cleveland and Columbus and Dayton.

Our trade deficit with China was $273 billion in 2010. Ten years before—before PNTR—our trade deficit with China was $68 billion. It went from $68 billion to $273 billion in one decade. That works so well that we should do more of it? President Bush said $1 billion in trade surplus or trade deficit translates into 13,000 jobs, a $1 billion trade surplus means 13,000 additional jobs, $1 billion trade deficit means 13,000 fewer jobs.

So our trade deficit with China last year was $273 billion. You do not have to be good in math to know that translates into a lot of jobs. Making products sold at the Capitol, making products sold at commissaries, making products sold all over—until we figure this out and pass trade agreements that are actually in our national interests, we are simply, pure and simple, betraying our national interests and betraying the middle-class families and the families in our country that aspire to be middle class.

I support the Casey-Brown-Baucus amendment and thank Chairman BAUCUS again for his work.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUESTS—S. 1094

Mr. MENENDEZ. Mr. President, I have come to the floor to pursue a unanimous consent request on something that is critical to families in my home State of New Jersey, which has the highest rate of autism, but is also critical to families across the country who have a loved one who faces—in the spectrum of autism and other developmental issues—the need to get the help, so their child, their loved one, can fulfill their God-given capabilities.

Last Tuesday morning, a full week ago from today, I sent this bill before the Senate for unanimous consent, and that unanimous consent was cleared on the Democratic side, but it has not been cleared on the Republican side,

which has prevented this bill from passing.

This legislation was reported out of the Senate Health, Education, Labor, and Pensions Committee on September 7 without amendment and with unanimous support, Republicans and Democrats together. This result, the result of a bipartisan effort with Senator ENZI, who is the ranking member of the Health, Education, Labor, and Pensions Committee, is vital to ensuring that the programs created under the landmark Combating Autism Act of 2006 continue.

That bill was signed into law by President George W. Bush after passing the Senate on a unanimous consent. This long history of bipartisan support only adds to my confusion as to why there are colleagues on the other side of the aisle who are currently preventing the bill from passing.

This legislation has unanimous support from Democrats and strong bipartisan support throughout the Senate, including nine Republican cosponsors.

Without Senate approval, the Combating Autism Act will sunset at the end of next week, leaving countless families across our Nation without the support they need in caring for their children with autism.

This bill provides an additional 3 years of guarantees simply in the context of an authorization. Obviously, we would have to go through the appropriations process and there would have to be debate and it would be voted on the floor, but that authorization for 3 years at the fiscal year 2011 appropriated levels for the programs for the Centers for Disease Control and Prevention, the National Institutes of Health, and the Health Resources and Services Administration is vital to continuing our efforts on diagnosing autism spectrum disorder, advancing behavioral therapies to improve social abilities with those with autism, providing families with education and support services to better understand autism, and to coordinating Federal efforts on researching autism.

I have worked closely with Senator ENZI, who has been a cochampion in regard to this legislation and addressing all concerns. Since it cleared the Health, Education, Labor, and Pensions Committee with full bipartisan and unanimous support, I thought we had succeeded in addressing those concerns. I have not been approached or heard a single objection from any Republican as to why they might hold this bill, and I have been open in my willingness to work with the other side in addressing their policy concerns. Having not heard a single objection to the merits of this legislation—which, by the way, is an exact replica of what is being offered by the Republican majority in the House—I have to assume this is for reasons other than policy.

We have had a week to bring this forward. It has caused incredible uncertainty and unnecessary worry for the parents of children with autism as they wait anxiously to learn if the government is going to continue to reauthorize the very essence of the programs that have helped their children be able to fulfill their God-given potential to the maximum ability they can. I have met family after family who tell me this legislation has made an enormous difference in their lives. So I don't understand any reason, considering all the work that has been done, considering the bipartisan support, considering the House Republican majority is offering the same legislation, why we have not been able to pursue this.

Therefore, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 163, S. 1094, the Combating Autism Reauthorization Act; that the bill be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Mr. President, on behalf of myself and several colleagues, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from South Carolina.

Mr. DEMINT. Mr. President, I wish to commend my colleague for his attention to this issue. Autism is a very difficult issue for many families, and the incidence of autism in our country is growing. I am thankful Congress, in its wisdom, a number of years ago, established agencies such as the Centers for Disease Control and the National Institutes of Health, where we have scientists and physicians and many others who are dedicating themselves to researching not just autism but cures for many diseases.

I appreciate again my colleague bringing this up, but I am afraid this is another example of political good intentions having many unintended consequences. The lobby to support autism is definitely very strong, and we appreciate that, but there are many diseases that children and people throughout our country face. We have put experts in place to determine where we can spend the money we allocate for medical research, and we need to leave that to the experts.

We have seen unintended results when our government tries to pick winners and losers. We tried to do it in the solar business 1 year or so ago. There are many companies in the solar business, but we picked one, and we didn't exactly know what we were doing. We gave $½ billion dollars to an effort that turned out not to be the best place to send taxpayer money.

Autism research will continue, and I think that is something we need to make very clear. The people we have put in charge of doing medical research will continue to do that medical research. The Congress does not have to decide how much we are going to spend on all the different diseases that affect Americans. There are many children facing diseases we don't understand, and they do not have the lobby many other diseases have. We cannot, from a political perspective, in an attempt to demonstrate our compassion, try to direct all the scientific and medical research from the floor of the Congress.

So I wish to make it clear that all of us who object support autism research. We will continue to try to make sure the funding for medical research is there. But it makes absolutely no sense for us, from where we sit, to try to play scientists and physicians and to know where the best outcomes will be and where we get the most for our money. If we are going to do that, we might as well decide what kind of medical equipment is going to be used or what kind of drugs are going to be used, and we certainly don't have that capability.

I am very thankful Dr. COBURN has taken up this issue for years and urged us to leave the decisions for medical research in the hands of those who understand it. Our job, as a Congress, is to continue to appropriate the money, which we will, for medical research. Autism research will continue, as well as research for many other diseases. Hopefully, we can make sure that funding is there because many families are suffering and we need to make sure we do our part in the research area.

So I welcome my colleagues in the majority bringing this bill to the floor for debate. We certainly are not blocking debate on this issue. But passing something such as this, without any debate and without any open vote, is not what Congress should be doing right now.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the Chair for the recognition, and I wish to recognize the good work my colleague, the Senator from New Jersey, has done on this issue.

I have been in the Senate a little over 6 years and I was cajoled into allowing this to pass the last time it passed. I have blocked every other disease-specific piece of legislation, and there is a reason for that. Both the last Director of the NIH and the current one caution against us being specific in what we demand them to do. There is a reason for that. Our science is changing enormously—enormously. We are now at the molecular level, at the genetic level, and at the immune level of thousands of diseases. What we research in diabetes now has prevalence for neurosciences. What we research in neurosciences now has prevalence for tons of other diseases. Dr. Zerhouni has said: Please don't do this.

I am known in this body to be a stickler on spending, but if there were two areas I would increase spending in our budget it would be to the NIH and to the National Science Foundation—both of them—and I recently reported out a report that was somewhat critical of some of the spending on the National Science Foundation. We can do

everything better. But the important aspect is no one who is opposing the reauthorization of this bill right now is opposed to autism research or the ideas behind it. What we are opposed to is tying the hands of the researchers and the Directors at NIH and telling them what they should do and how they should do it.

I would also dispute the fact the money will go away. The CR we are going to consider this week will continue this funding at the level it is until November 18, which gives us plenty of time to work with Senator MENENDEZ to work out some of our problems with this piece of legislation. So we come to this debate in good faith. We recognize the emotional ties associated with such a devastating disease. As an obstetrician and pediatrician, I have diagnosed it. I have treated it. I have sat with the families as they have suffered through the consequences of this disease. I don't take it lightly. But I also don't take lightly our inability to make the clear choices and ratchet around the moneys for the NIH.

What we should do is say: NIH, here is your money. Go where the science helps the most people in the quickest way and where the science leads us. At a time when our country is desperate to get our fiscal house in order, what we want is the most efficient NIH. What we want is nonduplicative grants at the NIH. What we want is no fraud in the grants associated with autism, which have been published and which people are now in jail for. We want that eliminated. We want the oversight on the NIH to be across the board in every area. Are they doing what we are asking them to do to spend the money wisely and what the science would tell them to do, not what any one particular interest group would tell them to do?

So I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1094, the Combating Autism Reauthorization Act, and that my amendment at the desk related to requiring the Secretary of HHS to identify and consolidate duplicative and overlapping autism funding throughout the Federal Government be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. MENENDEZ. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. I understand that. My commitment is to work with the Senator from New Jersey to try to solve this problem before any funding would change, and I don't think it is going to change.

I would also note for my colleagues that last year we had over $450 billion appropriated by the appropriators that was not authorized for anything. There were no authorizations at all. So this money isn't going to go away. There is no hurry. There is no tragedy. We can continue, and we can work as colleagues to try to solve our problems as well as meet the demands the Senator from New Jersey thinks must be met.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. First of all, I appreciate my colleague's offer and certainly we will take him up on it—to have a discussion to see if we can come to a common understanding because the issue is far more important than anyone's ideological views. I look forward to working with him and others who are concerned.

Let me say, however, there are some inconsistencies. If you do not believe there should be a disease-specific reauthorization, then the CR does exactly that. It will be for a more limited time, but it will, in fact, reauthorize this bill but only to November 18. So whether that debate is about reauthorizing a disease-specific allocation, which is what I was trying to accomplish, or whether in the CR, I assume it will be the thinking of my colleagues to object to the CR on the basis it has a disease-specific reauthorization for a much smaller period of time, until November 18. I am not quite sure how that logic follows at the end of the day.

Secondly, I think it is rather cruel to use an analogy that talks about loan guarantees to some energy entity and talking about autism and families. When I hear the word ''lobby,'' that, of course, creates a pejorative description. What is the lobby here? The lobby here is parents—American citizens, husbands and wives, taxpayers who advocate for their children before their representatives. I thought, in a representative democracy, citizens have the right to go to their elected representatives and advocate for a point of view—even if, admittedly, that point of view is on behalf of the welfare of their child.

So I have a problem when I hear, in this context, the word ''lobby,'' as if it is a negative when a universe of parents in our country who pay taxes are simply trying to accomplish getting their government's attention on a disease that afflicts their children and their ability to function in this society to the maximum potential their God-given abilities give them. I don't care about listening to a lobby. The last time I checked, this is what democracy is all about.

Finally, I would simply say there is no guarantee—I know my colleague suggested there is a guarantee—that research into autism will continue. There is no guarantee of that. There is no guarantee of that. The reason why I objected to the other unanimous consent by my colleague from Oklahoma is because, in fact, we have a set of circumstances, if we read that unanimous consent request, where there would be a diminution of funds at the end of the day. So we either believe in a disease-specific reauthorization, which to some degree would be allowed, but then we take away all the funds.

The whole reason this legislation came to being was to coordinate the very efforts of the Federal Government together to, in essence, meet the challenge of autism.

Even when we listen to debate on disease-specific legislation and the opposition to disease-specific legislation, I would emphasize that while the name would suggest this is only about autism, this improves services for children with many different developmental disorders and conditions—from autism, yes, but Down syndrome, cerebral palsy, spina bifida, intellectual disabilities, and epilepsy.

So it is a program that involves a number of efforts, broadly based, to prevent and detect and improve the health infrastructure for all children who might face any of these developmental disabilities, not just autism.

Every year this program trains thousands of professionals to better care for individuals with a broad range of developmental disabilities, including but not limited to autism spectrum disorders. Given the long waiting lists that families often endure to receive diagnostic and treatment services, these programs are essential in addressing an urgent national health need.

So, Mr. President, I don't quite understand the opposition. It boggles my mind. They are against disease-specific legislation even though this has passed by voice vote in the past? Even though this passed unanimously out of the committee? Even though a disease-specific provision will be in the CR, which I assume they would oppose if they don't want legislation to move forward? Then they tell families they are lobbyists, and they have no right to lobby, that we shouldn't listen to their voices? Then they say there will be—don't worry, there will be money for research, when there is no guarantee? That is cruel, in my view, and there is no reason for it.

I would only hope we can have a change of heart so we can have families who have an incredible challenge and who love their children and want to do everything they can to help them fulfill the maximum of their potential to be able to do so. That is what we have done for several years now under this legislation.

My God, if we can't get things like this passed, I don't know where we are headed in the Senate. But I hope for a better day, and I am going to continue and insist until we achieve this.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

PALESTINIAN U.N. REQUEST

Mr. CARDIN. Mr. President, I take this time to bring to the attention of my colleagues activities that will take place this week in New York at the United Nations and the request that has been made by the Palestinians that they seek status as an independent state with full membership in the United Nations.

It is clearly the position of the United States, it is clearly I think the position of the international community, that there needs to be two states, a Jewish State of Israel along with an independent Palestinian State, living side by side in peace. But the only way that will take place is through direct negotiations between the Palestinians and the Israelis. Prime Minister Netanyahu, the Prime Minister of Israel, was here in Washington and spoke before a joint session of Congress. He laid out very clearly how peace in the Middle East needs to evolve, through the recognition by the international community of the Jewish State of Israel and an independent Palestinian State through direct negotiations between the Palestinians and the Israelis.

Israel has been one of our strongest allies. They have been a loyal ally to the United States. We share common values. It is strategically critical to the United States, particularly in that part of the world. It is clear to all that the only way we will achieve the two states will be through direct negotiations between the Palestinians and the Israelis. The Palestinians have been reluctant to have these direct negotiations and tried to use intermediaries. They need to do it directly. Sit down with the Israelis. Negotiate the issues. That is the way to move forward to accomplish their goal.

The action they are seeking in the United Nations will be counterproductive. We have gone on record, every single one of us in the Senate of the United States, in S. Res. 185, a resolution I brought forward with my colleague from Maine, Senator COLLINS. It was passed unanimously by the Senate. It stated very clearly that if the Palestinians were to pursue this unilateral action through the United Nations, that would not advance the peace process, that it would be counterproductive to the objectives of the Palestinians to establish an independent state.

This past week, Senator COLLINS and I sent a letter to President Abbas, the President of the Palestinian group. We told him that we believed trying to go directly to the United Nations, circumventing the peace process, would be a lack of good faith in peace negotiations and that it would have repercussions on United States foreign policy.

What we have been told by the Palestinians is they will seek full membership as a state in the United Nations, going to the Security Council. That is not going to succeed. We hope the Security Council will recognize the inappropriateness of such action and will not take it up or will not provide the necessary support to forward it to the General Assembly. In the unlikely case that it were to get the necessary support in the Security Council, the United States has made it clear that it would veto any such action, for good reason—because it would be counterproductive to achieving the objectives of two states living side by side in peace.

The Palestinians may go to the General Assembly. Although they cannot get full membership, they could try to advance a resolution within the General Assembly in the United Nations. We know the numbers. We know what could happen. But I must tell you, seeking some form of recognition through the General Assembly, circumventing the peace process and the Security Council, will be harmful to advancing the peace process and the objectives of the Palestinians for an independent state.

Let the parties negotiate directly, in good faith. Israel has indicated they are prepared to do that. We have been prepared to do that—negotiate in good faith through direct negotiations. There are no shortcuts to achieving this. Moving through the United Nations will not achieve those objectives.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The junior Senator from Nevada.

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

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

NEVADA TRAGEDIES

Mr. HELLER. It is an honor serving the people of the great State of Nevada, and today I am speaking on their behalf for the first time in the Chamber of the Senate. Before I begin, I would like to take a moment to reflect on two tragic events that have taken place in Nevada recently.

In Carson City, our Nation lost three Nevada National Guard members at a local restaurant shooting. Those members were MAJ Heath Kelly, SFC Miranda McElhiney, and SFC Christian Riege.

The other was the horrific crash at the Reno air races this weekend. As with the shootings in Carson City, this terrible event not only impacted the communities in northern Nevada but the entire State and the Nation. Having visited the scene where the crash occurred, it is difficult to describe the amount of damage that took place there.

Our State's first responders and medical personnel did an amazing job in a very difficult situation. My thoughts and prayers go out to all the victims and their families, and I wish the injured a quick recovery.

REENERGIZING AMERICA

Mr. HELLER. Mr. President, I am deeply humbled by the opportunity to stand here today and to address the body as Nevada's 25th Senator. Nevada is a small State, but it is one that has provided many with a great chance to succeed. Most people know that it was in Nevada where Samuel Clemens began to sign his writings as Mark Twain and reported on the territorial legislative sessions. However, the reason Samuel Clemens came to the Nevada territory was to follow his older brother, Orion Clemens, who served as the first and only secretary of the Nevada Territory. That position would later become secretary of state, a position which I held prior to my service in Congress.

Similar to the Clemens brothers who sought greater opportunities, it is in a State such as Nevada where a son of a mechanic can have the opportunity to interact with those who are responsible for governing the State. For instance, as a boy I delivered the newspaper to then-Gov. Mike O'Callaghan. For a time, I went to Sunday school with then-Lt. Gov. HARRY REID's sons, and I was educated at the same public high school as Senator Paul Laxalt. Our current Governor, Brian Sandoval, is someone whom I used to play organized basketball with. I wish to thank Senator Laxalt for his support and Senator REID for being here today. I also wish to thank Senator MCCONNELL for being here as well.

My father's automotive shop was across the street from the Nevada State legislature, so many of the legislators would come into my dad's business. I spent a lot of time there as a kid working in that garage, sweeping floors, repairing cars, fixing engines and transmissions. In that shop, I learned the value of hard work and responsibility and the importance of family.

I am proud of what I learned growing up in Nevada: values from two great parents, good teachers, and good neighbors. Nevada values such as faith in God, hard work, honesty, and commitment to family—these are the values I try to bring to Washington, DC, every day.

Although Nevada has changed over the years, in many ways it is very much the same place as when I grew up. I bring this up because I recall what it took for my father to keep his

business in operation, and I think about what might have happened if he were still in business today. During this time when so many people are hurting and our economy is so fragile, it is important to understand how government impacts our economy and businesses across the Nation. While Washington politicians tarnish one another, Americans are still out of work. My home State of Nevada, in particular, leads the Nation in unemployment, foreclosures, and bankruptcies. Nevadans do not want finger-pointing; they want jobs. Nevadans do not want political talking points; they want to keep their homes. Nevadans do not want to hear all the promises; they want to pass on a better future to their children and grandchildren.

Job creation and economic recovery should be a bipartisan value. Unfortunately, Washington is paralyzed by politicians and has been reduced to sound bites. Too often it seems we cannot move beyond the politics of today. It appears we are more interested in press conferences than solving our Nation's most pressing problems—issues such as Medicare, which is on the verge of bankruptcy. Instead of strengthening and preserving the program, it is often used as a political weapon.

The truth is, Washington has not done enough to get our Nation back on track and the American people know it. I recently received a letter from a small business owner who had this to say:

> My business had to dramatically cut our spending and unfortunately lay off half of our good employees. Many of our customers have lost their jobs and their homes due to government intervention in the housing market and massive mismanagement of our tax dollars . . . government employment has gone up, while private sector employment has dropped.

These are the kinds of stories I hear from Nevadans far too often.

For over 4½ years I have done weekly telephone townhall meetings, where I have the opportunity to speak with thousands of households across my great State. During a recent round of phone calls, I have been asking participants if they believe their children and grandchildren will have a better economic future than we have today. More than two-thirds of these respondents say no. Many Nevadans believe the economic burden of our national debt and the impact it will have on future generations will lead to fewer opportunities and less upward mobility. I am certain Nevada is not alone in this sentiment.

Do we want to be the first Congress that hands our children and grandchildren a lesser quality of life? This should serve as a wake-up call for Washington.

Passing a better life to our children and grandchildren is a value we all share as Americans. From all corners of Nevada and our Nation, the message is clear. The status quo is not working. We can no longer afford to ignore the biggest problems facing our country: government spending and the national debt. The choices are clear. We can continue down this path which leads to bigger government, higher taxes, less jobs, and rationed health care for our seniors or we can decrease government spending, create jobs, and fulfill our promises to future generations. Washington needs to place its trust in the American people to reenergize our economy, not the Federal Government. It was Reagan who said:

> From time to time, we have been tempted to believe that society has become too complex to be managed by self-rule, that government by an elite group is superior to government for, by, and of the people. But if no one among us is capable of governing himself, then who among us has the capacity to govern someone else?

Our debt will serve as an anchor on future prosperity if we do not work today to solve this problem. Business as usual is not an option. What we do as Senators and the decisions we make are critically important to those whom we wish to represent. Sometimes the results of our actions are seen immediately and sometimes the full ramifications take decades to unfold. Record deficits, high unemployment, an anemic recovery, and inflation are fueling anxiety over our Nation's fiscal health. The key to recovery is to create an environment where economic growth can flourish and provide certainty and stability to our Nation's job creators.

I evaluate legislation through what I call the entrepreneurial standard or the ''more, higher, less test.'' Does this bill provide more competition with higher quality at less cost? What would a small businessman do? If the Federal Government approached problems through an entrepreneurial perspective, we would have a more efficient government at less cost to the taxpayer.

Unfortunately, our government is not providing that certainty today. We have a temporary Tax Code, overly burdensome regulations, and an ever-increasing national debt. There is no question the Federal Government must stop spending money we do not have. If we are going to keep America exceptional, we have to chart a new direction for our country.

As families across Nevada struggle to pay their bills and fight to keep their homes, government spending has grown exponentially. This must end if we are going to turn this economy around. We must focus on the long-term health of our economy and remove impediments that have caused economic stagnation and disabled businesses from creating new jobs.

The Federal Government has been on a massive spending spree, and it is time for this reckless behavior to end. History offers little evidence that massive deficit-financed spending leads to economic recovery. As an opponent of the stimulus and the Wall Street bailout, I believe reining in government spending is critical to economic recovery and the future of our country.

The unemployment rate, foreclosures, bankruptcies, all represent people who have become victims of this recession. There are those who have endured pay cuts to keep their jobs, individuals who are underemployed, and seniors on fixed incomes dealing with the increases in cost-of-living expenses. No question, times are tough.

So the question we must answer is, Do we have the courage to overcome partisan divides and work together to solve our Nation's problems?

While we all may not be members of the same political party or share the same philosophy of government, I believe we are all here to do what is right. In these difficult times, it is more important than ever that we work together, find common ground, and make tough decisions to create jobs and get people back to work.

Every day I go to work to advocate for the great State of Nevada, and every day I let Nevadans know there is someone in Washington who is on their side. There is not a day goes by that I do not think about what can be done to create jobs and get our economy moving again.

This is not the first time Americans have endured tough times, and it probably will not be the last. There will be better days ahead. However, it is incumbent upon us to effect change in difficult times to create a better future.

Today, we are at a crossroads, possibly a defining moment in our Nation's history, where we must change the way we govern. The window of opportunity is available, but it is growing smaller every day. Mark Twain wrote: ''You are a coward when you even seem to have backed down from a thing you openly set out to do.''

I ask another question: What is it that we set out to do? I ran for office to make a difference, to leave this place better than I found it. We still are the greatest Nation on Earth, with the greatest form of government. Our best days are yet to come—if we act now to return our Nation to what made us great: families, entrepreneurs, community, the American dream.

We must stop the mindset that we have all the answers here in Washington because I can assure my colleagues we don't. The answers are out there. They are in places such as Nevada, Alaska, Ohio, and perhaps Kentucky; in small towns and large cities across this country. Let the American engine fire again. Tear down the barriers to growth and opportunity and launch this great Nation to its great next chapter. I stand ready to serve and ready to bring us all together.

When my children and grandchildren look back many years from now, it is my hope that history will show we rose to the occasion to ensure their future and the future of our great Nation. I am confident we can meet those challenges. Our strength as a nation is bigger than the troubles of today. May God bless the State of Nevada and may God bless this great country.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The majority leader.

Mr. REID. Mr. President, I congratulate my colleague on his fine speech. I was happy to hear him mention some of my family. I think most everyone in Nevada knows that my son Leif is one of his best friends and vice versa. So I congratulate the Senator from Nevada on his first speech. It will be the first of many, and the first one is always the hardest. After that, it is a lot easier.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, let me add to the remarks of the distinguished majority leader and say congratulations to our brandnew Senator from Nevada for his outstanding inaugural address. He is off to a very fast start representing the people of Nevada and doing a wonderful job. I congratulate him again for an outstanding address.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

EXTENDING THE GENERALIZED SYSTEM OF PREFERENCES—Continued

Mr. WYDEN. Mr. President, under the leadership of Chairman BAUCUS, I have the honor of chairing the Senate Finance Subcommittee on International Trade. That is why I wish to take a few minutes to outline some of the issues I think are relevant to this important debate, about going to bat for workers under the trade adjustment program.

In my home State, about one out of six jobs depends on international trade. The trade jobs tend to pay better than the nontrade jobs. So I have said my philosophy about international trade is, what we ought to do is everything possible to grow things in Oregon and in the country, to make things in Oregon and across America, add value to them here, and ship them somewhere because this is an extraordinary opportunity we have in front of us in terms of expanding exports.

The fact is, the American brand—the brand that is attached to American goods—the exports we send all over the globe are something consumers worldwide want. That is my first point. More than 90 percent of the world's consumers live outside the United States—90 percent—and they are all potential customers for the products we make in the United States. More customers for American products means American businesses have to make more products. To make more products, they go out and hire more workers. Hiring more workers to make more products to sell to more consumers is the upside of the trade debate we are starting today.

Dismantling trade barriers to American exports gives our businesses access to those new consumers. Doing that creates and supports good-paying jobs—jobs people can support a family on, with a family-wage job.

As I mentioned, trade-related jobs provide better benefits and pay than many of those jobs unrelated to international trade. That is why when we have an opportunity to open markets to American products and American exports we ought to take advantage of it.

Point No. 2 is that our successful efforts to open markets are undermined when foreign governments and foreign competitors cheat. I use that word specifically because cheating is exactly what engaging in unfair trade practices that work to undermine our producers and our innovators is all about. So a central component of our trade policy always has to be enforcement—enforcement of U.S. trade laws and global trade rules.

Senator SNOWE, Senator PORTMAN, Senator BLUNT, Senator MCCASKILL, Senator SCHUMER, Senator BROWN, and I have been focused specifically on stopping foreign suppliers from laundering their merchandise to evade U.S. antidumping and countervailing duty laws. These are the duties that are put in place to remedy the damage that unfairly traded imports cause to American producers. Those foreign trade cheats, especially those from China, have been found guilty of dumping their goods in our country. Instead of stopping the dumping or paying the appropriate duties, the Chinese goods are shipped into a country such as Korea where the goods get repacked into boxes that say ''Made in Korea'' in order to avoid the U.S. trade remedy laws.

All of this has been occurring under the sleepy eyes—the sleepy eyes—of our customs agency. Fortunately, with bipartisan support, the Senate is positioned to act on this matter and address the issue. It will not come a minute too soon.

I was stunned when the staff of my Subcommittee on International Trade basically set up a sting operation, set up a dummy company, and we were amazed at the number of firms, particularly from China, that basically said: Look, we are plenty interested in figuring out how to get around American trade laws.

So these foreign trade cheats are out there. They are looking for ways to exploit the fact that the customs agency has not been tough, has not been relentless, particularly not with respect to protecting our manufacturers.

So point No. 2 is to make sure in the days ahead we put in place a stronger response to trade cheating, where cheats from China and other countries literally launder their merchandise, stamp it as coming from somewhere else, in order to avoid our trade laws.

The third point speaks to the bill we discuss today, and especially to the valuable Casey-Brown-Baucus amendment that I hope we will be voting on shortly. America's ability to compete in the global economy rests on opening foreign markets, enforcing the trade rules, and preparing our workforce—the American workforce, the workforce on which American businesses depend—to be globally competitive for the jobs of tomorrow.

That is what the TAA, trade adjustment assistance, Program is all about. Just as over 90 percent of the world's consumers live outside the United States, so does over 90 percent of the world's workers. Although we have the most productive, innovative workforce in the world, sometimes a foreign producer finds a way to do something better or produce something more efficiently than an American one. The result is, we can have Americans losing jobs through no fault of their own.

So the Congress decided long ago that the best way to respond to global competition was to meet it head on, to meet it directly, and that is what a trade agenda with a robust Trade Adjustment Assistance Program does.

Trade adjustment assistance throws a lifeline to the workers who lose their jobs, and to their families, because we have been open, we have been free, we have been expansionist in the area of trade, particularly when it comes to creating exports. Trade adjustment assistance provides American workers with an opportunity to acquire the skills they need to not just become reemployed but to help American businesses better compete in the global marketplace while those families make their way back to the American economy, where they can earn a wage at which they can support their families.

Trade adjustment assistance is a pretty modest program. The lifeline that is thrown to these workers is modest—just a few hundred dollars a week on average—and the job training that is provided to those workers is typically provided through existing infrastructure such as our community colleges. Trade adjustment assistance provides just enough assistance for resourceful and thrifty and industrious workers to rebound from a trade-related job loss. That, in effect, is what I hope we can start looking at programs such as trade adjustment assistance as being.

What we want these programs to be all about is to be something of a trampoline, where, in effect, people can get a modest amount of assistance, and through that modest amount of assistance be in a position to bounce back to the American economy with skills that have been improved and be in a position to again make a good wage at a company that can be involved in areas such as exports and productivity and innovation-driven services.

For much of the last half of the century, the United States vigorously promoted an open and global economy. As a result, our country launched an effort to become the largest, most dynamic market in the world. Today that global market is more competitive than ever before. The rise of China and India and other emerging markets,

such as Brazil and Russia, provide extraordinary opportunities to our innovators and our producers. But we do not get to be the top economy as a result of some kind of entitlement program. We have to constantly work at it. We have to constantly work at the task of making more innovative and more productive goods and services.

Together, Federal Government officials, businesses, and workers have the opportunity to seize the possibilities that a global economy provides and also overcome its challenges. Certainly, it is more important than ever to do that in the face of growing foreign competition. That means joining again now, on a bipartisan basis, to support trade adjustment assistance.

I would just like to note, having been involved in these issues since I came to the Senate, trade adjustment assistance has historically been a bipartisan program. It has been a program where the Congress, Democrats and Republicans, consistently said we can look at trade, we can look at exports as a vehicle for more family-wage jobs in our country—making things here, growing things here, adding value to them here, and shipping them somewhere. But certainly, in an ever-changing world, we are going to see some of our workers needing the opportunities to upgrade their skills that trade adjustment assistance allows.

So I very much hope my colleagues will support the Casey-Brown-Baucus amendment. It has my full support. It is very much in the spirit of the bipartisan work that has been done on trade adjustment assistance in the past.

Mr. President, I see other colleagues waiting to speak, and with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

FISCAL PLANNING

Mr. SESSIONS. Mr. President, yesterday, the President provided a fiscal plan on paper that he said reflects his latest fiscal vision for the country. It seems to be about the fourth vision we have had this year, and he has said we need to be honest with the American people and talk straight to them. I certainly believe that is correct, and I would share some thoughts about the President's plan and express disappointment that he has not been honest and direct with the American people, has not discussed in sufficient depth, in my opinion, the Nation's need to reduce spending because our debt is surging larger than it ever has in our history and presents a danger today and in the future.

The President needs to talk more about that. If we are going to ask the American people to reduce their spending, to take less from the government, to tighten belts, then we need to know why. I do believe he has not been sufficiently informative in his conversations because many of them emphasize increasing investments in various programs, in spending programs he has advocated, but with regard to the plan that was introduced yesterday he claims it would increase the fiscal year 2012 deficit by $300 billion; that is, next year it would increase the debt by $300 billion, but he says it would reduce deficits over the next 10 years, in the outyears, by $3.2 trillion.

We know what happens now happens. Spending that occurs today—the money is out the door—and promises to raise revenue in the future become less certain as each year passes by.

But assuming this is true, assuming we would actually do in the next 10 years the kind of things that would pay for this short-term spending, I would advise my colleagues that the fundamental claim the President is making—assuming his numbers are correct, and we do the things he suggests—it overstates by $1.8 trillion the amount of the savings. Mr. President, $3.2 trillion, no. Mr. President, $1.8 trillion reduced from that, and we are looking at about $1.4 trillion in savings and not $3.2 trillion. That is the fact. I will share with my colleagues the sad, grim fact of that.

How did it happen? Well, the bill, as the Washington Post said, is being criticized because of gimmicks that are in it.

First gimmick: The war-funding gimmick. The plan shows $1.1 trillion over 10 years in savings from putting a cap on war-spending costs. But those costs are going to decrease as the war effort unwinds whether or not this proposal is in place. They have been long been planned.

The President's proposed caps on war spending manipulate baseline concepts to show the savings that have been long planned and new—something he came up with this week, I suppose—new choices which inflate the spending cuts in his plan. In other words, it inflates the amount of spending he has cut by $1.1 trillion.

The Congress has dealt with this little gimmick in the budgetary process. I serve as ranking member on the Budget Committee, and we wrestled with these baselines and scoring possibilities. But that gimmick—the $1.1 trillion gimmick—was rejected during the recent debt ceiling debate, raising the debt limit. We talked about that and we didn't do it because it is not an accurate explanation of the cutting of spending. We don't have any plan to continue to spend in Iraq and Afghanistan the $158 billion we spend this year. And for 10 years? Give me a break. That has never been our plan and shouldn't be assumed as a baseline for spending. Claiming credit for not continuing that is not a legitimate way to analyze how much you have cut spending.

Some have said PAUL RYAN and the House Republicans, when they passed their budget, included the $1.1 trillion when they said they reduced spending by $6.2 trillion. They proposed a budget to cut $6.2 trillion. They also proposed a growth-oriented tax reduction and simplification plan that would create economic growth, netting out $4 trillion in actual savings. But PAUL RYAN and his committee did not—I have checked the numbers—consider $1.1 trillion in war savings—which no one has disputed should occur—off the present amount we are spending. He did not include that in the $6.2 trillion. He did have an alternative analysis that showed that, and people have seized upon that to say his fundamental proposal of a $6.2 trillion spending reduction included it. It did not.

Another big gimmick—one used too often in this body—is what we call the doc fix of Medicare. The Balanced Budget Act, in the late 1990s, proposed substantial reductions in physician fees. As the years have gone by, it has become more and more plain that doctors cannot sustain a 20-percent reduction or more in their fees for doing Medicare work. So each year we put that money back in. But it is part of the plan of a long-term budget. The statute itself has not been changed. So every year we have this little problem: Are we going to cut the doctors 22 percent or are we going to avoid cutting the doctors 22 percent? Well, we don't want to cut the doctors that much. They can't function. That is too big a cut for them. So we find the money some way every year. Mostly, we have borrowed it.

The President's plan assumes that money will be found for the doc fix and they will do it over 10 years to the tune of $293 billion. This trick counts the higher spending as a given rather than as a policy choice that needs to be offset. Without this gimmick, the President's health care savings of $320 billion the plan suggests will occur becomes health care savings of only $27 billion. You don't save $293 billion because of this gimmick because it is unpaid for. There is no source of income to pay for the President's assumption. We will pay $293 billion, which means he only saves $27 billion in health care, not $320 billion.

I believe this is a truly honest and fair analysis of the President's proposal. It is incorrect, putting it kindly.

There is another little gimmick. When the President talks about cutting spending—when he says we are cutting spending—what does he include in that? He is counting as spending reductions the net interest effects of his proposed policy changes, even though interest costs are the secondary effect of his proposed tax hikes.

For example, if you raise taxes and don't cut spending—and spending has not been cut in this plan—you raise taxes and you reduce projected deficits, we think about $1.4 trillion under the plan, less than half of what was projected, then you don't pay as much interest because you don't accrue as much debt. And you don't pay as much interest on a debt that is not accrued. They are scoring that as if they cut spending, when it is a natural by-product of increased taxes.

So when you remove the accounting tricks and the Washington gimmicks

that have contributed to this country being in the fiscal condition we are in, you are left with only half of the $3 trillion in deficit reduction the White House promised.

The White House also claims the President's plan has $2 in spending cuts for every $1 in tax hikes—$2 in spending cuts for every $1 in tax increases. Indeed, early in the year he suggested we should have a plan that would have $3 in spending cuts for every $1 in tax hikes. But is this accurate? Is it true we are achieving $2 in spending cuts for $1 in tax hikes?

If you eliminate the gimmicks, you will see it is absolutely not true. Under the plan, total Federal spending—including the jobs plan's stimulus bill—the new stimulus bill—will increase. The President's plan will not decrease total Federal spending. It will increase, not decrease. There is no cut in spending. On balance, there is not a penny of net spending that is cut—on net.

In a speech, the President said:

> I'm proposing real serious cuts in spending. When you include the $1 trillion in cuts that I've already signed into law, these would be among the biggest cuts in spending in our history.

Well, that is not true. It is not accurate. I don't think it bodes well for us to be able to reach an agreement on these very serious issues if the President is pretending his plan cuts war costs or counts interest that shouldn't be counted or proposes we have a doc fix without any money with which to fix it. Those are the kinds of things that get us into trouble.

Despite the substantial increase in taxation under the President's plan, deficits would not be tamed. At no point over the next 10 years would deficits be smaller in nominal terms than the $459 billion recorded before he became President. That is the highest deficit in history. President Bush was roundly criticized for the $459 billion during his time. The lowest deficit under today's plan—the lowest over 10 years—would be $476 billion in the outyears, and it would start going back up again under the plan they propose, leading to a $565 billion deficit in 2021. And by the way, the last 3 years of deficits have been $1.3 trillion, $1.2 trillion, and this year will be $1.4 trillion in debt. So next year's deficit will actually surge beyond the current projections. We had hoped they would come down. But because of the new spending in this plan, $350 billion will be added to the deficit next year, putting us well over $1 trillion in deficit again next year. At a time when we should be reducing deficit spending, the immediate impact of the plan will be to increase spending, fostering more fear and uncertainty in our economy and the conclusion among the financial investors here and worldwide that we still haven't gotten the message and we are still out of control.

Over the next 10 years, deficits would total $6.4 trillion, and gross Federal debt would grow by $9.7 trillion. Gross Federal debt would grow by $9.7 trillion, exceeding $24 trillion in 2021, when last year we had about a $13 trillion debt. That would put our debt over 100 percent of GDP.

Properly accounting for the effect of the President's proposed policy changes, the actual amount of debt reduction proposed by the President is $1.4 trillion, consisting of $146 billion in spending increases that would increase the debt and $1.5 trillion in tax increases. So we may have raised a few weeks ago our legal debt limit, allowing us to run up more debt, but we have breached our economic debt limit. America's $14.5 trillion gross debt we have today is 100 percent of our economy.

A prominent study from economists Rogoff and Reinhart—praised by Secretary Geithner as ''excellent''—shows when a nation's gross debt reaches 90 percent of GDP it loses, on average, a percentage point or more in GDP growth that year. Our debt is depressing growth. Our debt is now 100 percent of GDP, and our growth is unexpectedly slow this year. Could that be a part of the cause? Some economists say no, but it certainly is consistent with the projections in their plan.

So the plan that was presented, I have to say, is gimmick piled upon gimmick, adding up to little more than a tax hike camouflaged as fiscal restraint. Promised spending control is nowhere to be found. When you are in a crisis, you must deal honestly with the American people. You must present the facts, along with a credible solution, and call on the people to respond and sacrifice together. Americans are good, decent, hard-working people who will accept a difficult choice if given to them in honest terms. But the White House is trying to be clever at the expense of being credible.

The debt is destroying jobs today, I believe. If we are going to restore confidence in growth, credibility in the President and in Congress is one asset we cannot afford to borrow against.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. SESSIONS. Mr. President, can I ask unanimous consent to have 1 additional minute?

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

Mr. SESSIONS. Mr. President, I wish to congratulate my colleague Senator WYDEN on his work on this legislation, and also would thank him for his efforts to reach an agreement to improve our Tax Code. It is a big deal. A lot of expert witnesses have appeared before the Budget Committee. Senator WYDEN is a member of the Budget Committee. Those witnesses have told us that properly improving our Tax Code could improve growth, create jobs, and make America stronger. I appreciate the Senator's hard work and am looking at his proposal and thank him for contributing positively to the debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, just before he leaves the floor, let me tell Senator SESSIONS how much I appreciate the kind words and enjoy working with him. We serve on the Budget Committee together and talk often about economic issues. I wish to tell my colleague that I look forward to working with him on tax and budget issues in the days ahead especially.

AMENDMENT NO. 626

Mr. President, what I would like to do now is take just a couple minutes to talk about the amendment offered by the distinguished Republican leader, Senator MCCONNELL, to extend trade promotion authority—what is known as TPA—for 2 years.

I am certainly interested in working with the leader. Certainly, Chairman BAUCUS has made it very clear that he wants to continue to work on this issue. But I would oppose the McConnell amendment this afternoon, and I want to outline specifically why.

The last time Congress passed trade promotion authority was in 2002, essentially almost one decade ago. The McConnell amendment would simply continue Congress's instructions that were formulated back then, as I said, almost one decade ago. But the fact is, the American economy has changed dramatically since TPA was adopted last, and the overseas trade barriers have changed dramatically. Yet the McConnell amendment simply hasn't kept up with the times. What I wish to do is outline a few examples of areas where we face very different economic challenges.

I would also like to say we talked about this very briefly in the Senate Finance Committee. It was raised by the ranking minority member on our subcommittee, Senator THUNE. So it is clear there is an interest in the Finance Committee in working on this issue.

Trade promotion authority is a hugely important and complicated issue. When it was considered the last time, there were extensive hearings in the Finance Committee. Many amendments were authored. There was considerable time devoted to it. That has not been the case at all with respect to reauthorization, and it is why, in particular, I wish to make sure that when the Congress next deals with trade promotion authority, we deal with some of the most important challenges. I am going to outline a few of those.

Digital goods and services would be of special concern that we have looked at in our community. Digital goods, for an example, would be software. Digital services would highlight cloud computing. I know it is something that has been of great interest in Minnesota. It is all about the Internet playing an increasing role in the American and the global economy. It is a platform for global commerce.

I believe the Internet represents the shipping lane of the 21st century. It is

the shipping lane for goods and services, and the 2002 version of trade promotion authority doesn't have the kinds of policies that are necessary to address today's challenges that affect our ability to export American goods and digital services.

A second example would be the question of labor and environmental standards with respect to our trade goals and intellectual property protection for pharmaceutical drugs.

In May of 2007, congressional Democrats and Republicans got together, on a bipartisan basis, to update trade goals with respect to key issues such as labor and the environment and intellectual property protection as it related to pharmaceutical drugs and therapies. These agreements that were entered into in 2007 aren't reflected in the 2002 version of trade promotion authority. So extending the 2002 version of trade promotion authority is another area where, if we simply support the McConnell amendment this afternoon, trade policy has not kept up with the times.

Finally, I would just like to mention China. The fact is, in 2002, we had a relatively short experience with China at the World Trade Organization and, more than ever before, state-owned enterprises play a role in global commerce, particularly given the rise of China. I think all of us agree our trade agenda ought to include promoting discipline so state-owned enterprises do not undermine the American private sector. That requires reconsidering, again, the provisions found in the 2002 version of trade promotion authority.

What it comes down to is that this issue deserves more consideration than a floor amendment with just a modest number of Senators even being aware of the history and the issues and the complexity of the issues. In fact, it would be fair to say that a significant number of Senators on both sides of the aisle weren't even a member of this body back when trade promotion was considered last in 2002.

So what it comes down to for me is, American trade policy is too important to construct on the back of a galloping horse. That, in my view, would be what the Senate would be doing if it simply adopted the McConnell amendment. Chairman BAUCUS is opposed to this amendment. He, such as myself, has made it clear he is interested in working with colleagues on a bipartisan basis on this issue, and it is an important part of the role of both the executive branch and the Congress in terms of looking at trade policy, and it is particularly important right now when, in a host of areas—I will give another example.

I cited already digital goods and environmental labor standards and state-owned enterprises. We had a very valuable hearing in the Subcommittee on Trade Finance on fishing issues, which are also playing an increasingly important global role in trade agreements and trade policy. That also was not part of any discussion back in 2002. Those issues and others need to be aired. They ought to be aired on a bipartisan basis.

I thought Senator THUNE, when we were in the Finance Committee, was right to ask about this issue. There is going to be an opportunity in the days ahead to work on this. Chairman BAUCUS has made it clear that he wants to work with colleagues on a bipartisan basis on trade promotion authority. I do as well. I already made that pledge to the ranking member of our subcommittee, Senator THUNE, who has been very easy to work with on a host of these trade issues. He has made some particularly important points with respect to digital goods and services and the opportunity for our high-tech sector—wrote a good article on it just a couple days ago.

Suffice it to say, there is a lot of interest on our side of the aisle in working on this issue. But I would urge colleagues to resist the McConnell amendment this afternoon when it comes up for a vote for the reasons I have outlined, and there will be time for the kind of debate on trade promotion that I think is appropriate, one that reflects the opportunities and challenges of an economy in 2011 that is very different than the one we were addressing when we last did trade promotion authority in 2002.

In an effort to come up with a unanimous consent agreement that can resolve the question of the upcoming votes, I would just say to Senators on both sides of the aisle that certainly the next hour would be a very good time for Senators who would like to speak on the Casey-Brown-Baucus amendment or the McConnell amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. TESTER. 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. TESTER. I ask unanimous consent to speak as in morning business.

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

IRAQ DEADLINE

Mr. TESTER. Mr. President, during a trip to Baghdad this past January, I had the opportunity to meet with several members of the Montana National Guard's 163rd Combined Arms Battalion. That day, I told them that I was proud of each and every one of them, from unit commander LTC T.J. Hull and SGM John Wood, right on down the line. Through courageous service to our country, they were making tremendous sacrifices on our behalf, and they were representing the very best of Montana.

This month, these folks have been coming back home to Montana from their demobilizing station in Washington State. Today, I join their families, their friends, and their neighbors in welcoming the last group of those citizen soldiers back to Montana.

Job well done, soldiers. And I thank you.

For nearly a year, these 600 Montanans served in some of the harshest conditions imaginable—escorting numerous convoys across dangerous terrain and conducting other critical security missions throughout Iraq. At one point over the last 12 months, this unit accounted for more than half of Montana's best and brightest serving overseas. They gave up the comforts of their families, their homes, and their communities to bring stability to a nation on the other side of the world. Through it all, they showed courage in difficult times. They remained strong. And they were always in our thoughts and prayers.

Now they are home. It is our duty to continue our support by providing the benefits, quality care, and services they need as they transition back to their families, to their jobs, and to their communities. Many Iraqi veterans make that transition with success, coming home to good jobs and welcoming communities. But for others, making that transition is no easy task. It is no secret that there is a potential for higher rates of substance abuse, higher divorce rates, higher unemployment rates. The effects of post-traumatic stress disorder and traumatic brain injury can impact entire families. Thankfully, veterans often look after each other. We should recognize the important role of America's veterans service organizations and their willingness to help with that transition.

Montana was one of the first States in the Nation to adopt the Beyond the Yellow Ribbon Program. It involves entire families of National Guard soldiers and airmen, preparing them for the changes that come before, during, and after deployment. The Beyond the Yellow Ribbon Program is a success, and I am pleased that in the last Congress my colleagues gave all States the resources to implement it.

Furthermore, I will do my best to make sure we keep up our end of the bargain. Whether it is college education, health care, or compensation for an injury suffered on the field of battle, we will honor our commitment to our heroes. We make this promise to the men and women of the 163rd and to Montanans who make up the many other units of the Montana National Guard that were deployed this year and to those folks who are part of Montana's Red Horse Squadron, now in Afghanistan. To our reservists and to the folks serving in the Active-Duty military today, we make the same commitment.

Even as we make this commitment, many folks in Montana are wondering what should happen next in Iraq. Since 2003, our Nation has sent hundreds of thousands of young men and women to

fight in Iraq. We have done so at an enormous cost—4,474 Americans have given their lives, and more than 32,000 have been wounded. We cannot put a number on those who suffer from the injuries that are unseen. And let's not forget that the price tag of this war that was put on our children is quickly approaching $1 trillion, and then there are the tens of billions of dollars in waste and fraud.

The war in Iraq started with political leaders who had their own agenda. They went there looking for weapons that never existed. But through it all, the professionalism of our military never faltered. They provided security and democracy to a nation that had never known it.

But for far too long, Iraqi politicians did nothing to secure their own future. I first went to Iraq in 2007 and returned there again this past January. I was struck by how much it changed in those 4 years. Iraq was finally moving forward after too many wasted years, too many wasted dollars, and too many lives lost. There are many reasons for the change. The improved security from our military and the training provided by our troops played a big role. But American diplomats and military leaders told me that the biggest reason for the progress in Iraq was this: The Iraqis were told in no uncertain terms that the United States was leaving. Our military presence would end on December 31 of this year. That was what galvanized Iraqi politicians to take control of their own country.

Today, I am sending a letter to the President calling on him to stand by his commitment to pull all U.S. Operation New Dawn troops out of Iraq by the end of this year. We should bring the last of them home on schedule. U.S. marines will still guard our embassy, as they always have, and we will still maintain a strong diplomatic presence in Iraq.

Despite this year's deadline, I know there is talk of the possibility of keeping a sizable force of U.S. troops in Iraq through next year. If that is the case, it is not good. We cannot afford moving the goalposts. Across Montana and this Nation, people are saying: Come home and come home now. I know sectarian violence in Iraq will continue. We should not be asking American troops to referee a centuries-old civil war. That conflict is likely to continue into the distant future regardless of our presence.

Iraq now has the tools it needs to secure its economy. Iraq must solve the problems for its own people. Keeping thousands of U.S. troops in Iraq would needlessly put them in more danger, it would cost American taxpayers more money, and it would further distract us from our core objectives of protecting U.S. citizens and further dismantling al-Qaida and other terrorist groups. That is where our focus must be, and that is why I am saying let's end this war for good.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I ask unanimous consent to speak as in morning business for about 5 minutes.

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

HONORING OUR ARMED FORCES

SERGEANT JOSHUA J. ROBINSON

Mr. JOHANNS. Mr. President, I rise today to remember a fallen hero, U.S. Marine Corps Sergeant Joshua J. Robinson of Douglas, Nebraska. Sergeant Robinson was killed in action on August 7, 2011, while conducting patrol operations in the Helmand Province of Afghanistan. He was in his third tour of duty. His story of service comes to us at a time when many are reflecting on the 10th anniversary of the September 11th terrorist attacks—a fitting time to recognize the patriotism of a fallen hero.

Sergeant Robinson enlisted in the Marine Corps in 2003, a time when Operation Iraqi Freedom was in the beginning stages and many were unsure of what was to come. He felt the call to serve and was rightfully proud of his commitment to defend and protect our country. Sergeant Robinson's love of the outdoors provided him with many of the skills needed to be the best Marine he could be.

Sadly, his life was cut short too soon, and the Robinson family laid their Marine to rest in Hastings, Nebraska on August 16, 2011. Sergeant Robinson returned to his birthplace with valor and honor, having been awarded the Purple Heart, the Combat Action Medal, the Iraq Campaign Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Expeditionary Medal, and many other decorations during his military career. He died a brave and most honorable death. We are proud to call him one of our own.

The tradition of military service is strong in our great state of Nebraska, but strong soldiers are not possible without the support of family. I am confident Nebraskans will rally around Sergeant Robinson's family during this difficult time. He is mourned by his wife, two sons, mother and stepfather, sisters, and many others. It is the strength of his wife Rhonda that will remind Wyatt and Kodiak of the love their father had for them and for his country.

His mother Misi provided insight into her son's position to serve when she said:

> Our freedom was put on the line. It takes young men like Josh to enlist and protect the USA.

I know his family is proud of him and will always remember his spirit, his competitiveness, and his enthusiasm for adventure.

May God bless the Robinson family and all of our fighting men and women in harm's way.

I yield the floor and note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DON'T ASK, DON'T TELL REPEAL

Mr. COONS. Madam President, I rise today to mark a momentous day and to stand with the millions of Americans for whom the end of don't ask, don't tell means the beginning of a real era of new equality for our Nation. It has been 60 days since Secretary Panetta, Chairman Mullen, and President Obama certified the U.S. Armed Forces were ready for the repeal of don't ask, don't tell. After 18 long years, today that policy finally comes to an end.

This is an important day. It is a good day. Today is a good day because our Nation, in my view, is taking a major step forward not just in the pursuit of equal rights but in the pursuit of equal responsibility. Today is a good day because we always talk about equal rights, but with don't ask, don't tell we are talking about Americans who sought equal responsibility, Americans who wanted to serve their Nation.

Nearly 14,000 LGBT Americans wanted to serve their Nation in their military but were deemed unfit to serve not because of what they did but because of whom they loved, as if loving another man made a soldier unable to aim a rifle or unwilling to die for his country. But for as many servicemembers who were drummed out—both literally and figuratively—under don't ask, don't tell, I cannot help but wonder how many more served in silence, proud of their uniform but made to feel ashamed of the person underneath.

LTC Charles George served his country for more than 30 years, including 28 years as a commissioned officer in the U.S. Army. His uniform is decorated with a wide range of medals and ribbons for dedicated service. When he graduated from ROTC in 1980, Charlie's boyfriend Dennis was there, and he wrote to me recently about his experience. He said:

> I sat next to his mother, keeping quiet so I wouldn't draw attention to our relationship. During his actual pinning, my eyes never left his for the entire process. I was so proud of him. At one point, his eyes found me in the audience and we smiled to each other. I still remember that moment.

That was the last of those moments they would have. In 30 years of dedicated Army service, that ROTC ceremony was the only military activity of Charlie's that Dennis would be able to be a part of. Charlie was determined to serve our Nation, and so they had to keep their relationship a secret.

Charlie steadily rose through the ranks to first lieutenant and then to captain. He was promoted to major and ultimately lieutenant colonel. These were all proud moments for Charlie,

but Dennis could not be in the room for any of them. ''The only thing harder than being a soldier is loving one,'' they would later recall hearing. I would offer the only thing harder than loving a soldier would be having to keep that love a secret from the world for a decade.

After 9/11, then-MAJ Charlie George was activated from Reserve duty, and like so many military families they discussed their now uncertain future. If Charlie had died in the service of his country, there would be no call on Dennis's phone from the Army, no knock on his door. Dennis would receive no crispily folded flag presented by a military honor guard. Dennis would never be able to be buried next to Charlie at the Arlington National Cemetery.

For 31 years they kept their relationship and their love a secret. Colonel George retired this year—a milestone he will celebrate next month in Rehoboth Beach, DE. For the first time since that ROTC ceremony more than three decades earlier, Dennis will be there proudly looking on. No more secrets, no more hiding, just the respect and dignity they both deserve—not just because of Charlie's long and dedicated service to the U.S. Army or because of Dennis's silent sacrifice but because they are both Americans.

I was proud to cosponsor the repeal of don't ask, don't tell last fall. I was even prouder to vote for it. Madam President, 3 months ago I was 1 of 13 Senators to record a video telling the gay, lesbian, bisexual, and transgender youth of this country that it gets better. As Americans we tell our kids that equality for all is a founding principle of our Nation, but our actions in so many ways have in the past failed to live up to these brave words. Our video was a promise to this generation of Americans, to the generation of my children, a promise that we are working to build an America free of legal discrimination, free of discrimination in our society; that LBGT youth have a future in this country where they will be entitled to the same rights, privileges, and responsibilities as every other American.

Bit by bit we are going to tear down these walls of discrimination. This is how we make it better. Don't ask, don't tell was discrimination, plain and simple. But today it is no more. Today is a good day.

Thank you, Madam President.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. I thank the Chair.

(The remarks of Mr. INHOFE and Mr. BLUNT pertaining to the introduction of S. 1583 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BLUNT. Madam President, I wish to speak for a few minutes today about the bill that is on the floor, the amendment, in fact, to the general system of trade preferences bill. That amendment is trade adjustment assistance. Frankly, it is not a bill I would have drafted on my own, but my guess is neither would have the two people who negotiated the bill. This is a compromise between Chairman CAMP in the House and the Senator from Montana here. It is a compromise that reflects exactly that. It is not what either one of them may have come up with, and certainly not what I would have come up with. But, based on the President's determination, it is essential to move on to the three trade agreements that have been waiting to be voted on for 3 years now.

I intend to vote for this. I am looking carefully at the amendments. I am supportive of the two amendments we will vote on today. But if they would disrupt the balance of this agreement that has been made, I am going to look very carefully at that as these votes are cast.

Certainly, I wish for this President and all of his successors to have trade promotion authority. I think we have seen the difficulty of the President being able to negotiate a treaty as an agreement. A trade agreement that comes to the Senate and that could be amended by the Senate and which takes two-thirds of the Senate to approve—those days are over. Before trade promotion authority, we had essentially gotten out of the treaty agreement on trade because who wants to make that kind of agreement? Who wants to get into a room and negotiate a trade agreement only to see the thing maybe they thought was the biggest thing they had given up or the biggest thing they had gotten taken out of the agreement before the Senate votes on it?

So this up-or-down, yes-or-no, majority-in-the-Senate and majority-in-the-House trade promotion authority is very important. I wish we had an agreement that this President wanted right now, and that the next President—whoever that is and whenever that is—would have the ability to continue, because since we ran out of the trade promotion authority law, we have not had any agreements negotiated.

In fact, the three we have negotiated now, I want to talk about for a minute, but they have been available for 3 years and I am eager for the President to send them up. The President says this TAA issue, this trade adjustment assistance issue, has to be understood to be completed and will be completed, or at least he has to be assured it will be completed, before we get those three agreements.

It would be fine with me if we could adjust this some. I want to see the bill of my good friend from Oregon, who is on the floor, Mr. WYDEN, considered, of which I have cosponsored, on transshipments, where many of us in this body have problems in our States—I have two major problems I could talk about for a long time, but I will not today—where the proper authority has looked at what is happening, and they said: No, you have unfair trade practices. So there is a penalty on the country that is using those unfair practices to compete. But then what that country does is they start labeling the product as if it were from somewhere else, and they may ship the product through that other country and get it labeled there or they may short circuit that and put the label on it in their own country and say it was made somewhere else so when it comes in here, suddenly it does not have that penalty. Whether that is relabeling or I think, as my good friend from Oregon calls it, merchandise laundering, where you make the merchandise appear to be something it is not, so you no longer pay the penalty, I would love to see that on a bill here in the near future.

The other Senator from Oregon and I have a bill on affordable footwear that has trade impact I would love to see on a bill. This is a bill that potentially might have jurisdiction to go on. But that is not the agreement that has been made between the House and the Senate. I am going to be supporting that agreement and not doing anything that makes it impossible for us to get these three trade agreements. I am absolutely banking on the commitment by the President of the United States that if this happens, the three trade agreements come to the Congress. When they come to the Congress, I believe they pass the House and Senate, and they create great opportunity for American workers to send their products to other countries.

One of these agreements that has been there for a long time is the agreement with Colombia. Colombia already is able to ship its products in here without tariff under something that routinely passes the Congress called the Andean Preferences Act. So this is not about whatever labor conditions there are in Colombia. Their products already come here. This is about whether U.S. workers are going to have every possible advantage in Colombia. This is about whether Caterpillars made in the United States or John Deere tractors or moving equipment made in the United States has the same advantage in Colombia that the same piece of equipment made in Canada has. Right now, they do not have that advantage. We need to see that they do.

As to Korea, the European Union negotiated a trade agreement long after we negotiated this agreement, but it went into effect the first of July, and the year-to-year comparison, July over July, is, I think, 38 percent bigger this July than it was last July. The only difference between this July and last July is the trade agreement.

These are three countries where all of their trading history, all of their buying history—Panama being the third of the three—would be that given the choice of an American product to buy or a product from any other country but their own, they would give preference to the American product.

But we are giving away that market advantage by not creating this opportunity for American workers and American companies, big and small.

Agriculture is a huge beneficiary of these agreements. Lots of agriculture, lots of grain crop agriculture, lots of meat crop agriculture—whether it is chickens or poultry of all kinds or pork or beef—is very dependent on American family farmers who will see a great opportunity in each of these countries, given the opportunity to get their product under these agreements.

I am hoping that enough of my colleagues and I are able to get this general system of preferences bill, as amended with the TAA, done so we can get on to the job-creating work of these three trade bills. These are opportunities to create more private sector American jobs. Over and over, almost every Member of the Senate says that should be our No. 1 priority. The President says that is his No. 1 priority.

This work, combined as we get to the trade agreements, lets us do the easiest part of job creation and our No. 1 priority, which is to let American workers compete in places where the consumer wants to buy American products, eliminate those barriers, and move forward with these agreements and the bill on the floor today. Then, hopefully, we can get to the transshipment bill; hopefully, we can get to the Affordable Footwear Act, and, hopefully, we will eventually see TPA. The Senator from Utah has a bill that would synchronize trade adjustment assistance with any trade bill. And, of course, we should do that.

But let's get this work done. I look forward to this being done, and the President sending the bills up so that before the next month passes, hopefully, we will be seeing American products have the advantage they have been waiting for now or at least eliminate the disadvantage they have had needlessly for the 3 years since these agreements were all negotiated.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Madam President, I want to respond very briefly to my friend from Missouri, and then I know the Senator from California is here, and she wishes to speak for about 10 minutes. I am going to be very brief.

First, I want to thank Senator BLUNT for working with us in a bipartisan way. He played a key role in trying to advance this issue and worked very closely with all of us in the Finance Committee, Chairman BAUCUS, myself, and others.

The Senator from Missouri is absolutely right with respect to the tariff issue. The fact is, the American market is open. We essentially have some of the lowest tariffs around. In many of the markets around the world—and certainly in a number of areas with these three countries—we face much higher tariffs. So if we come up with an effort to, in effect, level the playing field, that means American companies, particularly American exporters, benefit more than do the folks around the world. So I think the point the Senator from Missouri has made is a very valid one.

I also want to thank him for his comment with respect to the trade cheats. We are going to have further discussions with respect to TPA, and I see the distinguished ranking minority member. When we talked about this in committee, I made it very clear I intend to keep working with Senator HATCH and Senator THUNE, who is the ranking member of the subcommittee. The challenge is to make sure TPA keeps up with the times. Because if we just reauthorize in 2011 TPA of 2002, we are not going to be dealing with digital goods and digital services, we are not going to be dealing with State-run enterprises, we are not going to be dealing with labor and environmental issues. That is why we are going to have to continue that work in a bipartisan way.

Madam President, Senator BOXER was going to speak next. Then I understand Senator HATCH wants to discuss his amendment, and I intend to remain for that.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Madam President, first, I want to say thank you to the leadership on this bill. This trade adjustment assistance is so critical. When we talk about creating jobs, we also want to talk about retraining those who need, in this century, the new kinds of training it takes to keep up in this economy and this world economy. So I want to thank them for their leadership.

JOBS AND DEFICIT REDUCTION

Madam President, I want to talk about jobs and deficit reduction. The good news on this front is that President Obama has presented to the Nation both a jobs plan and a deficit reduction plan. He has shown the Nation, through this plan, that while we must cut the deficit and the debt in the long term, we have to focus on jobs in the short term. His plan ensures that middle-class Americans get the jobs and the opportunities they need to continue to move ahead. It also makes sure we have a fair tax system in place so everyone pays his or her own fair share—not too much, not too little, but fair. So this approach is welcome.

I will tell you why I welcome it. Because the approach outlined by President Obama—deficit and debt reduction, investments in jobs—was the same vision that worked before when Bill Clinton was the President. I had the honor of being here in this body to support those policies. People forget that when Bill Clinton became President, there were deficits and debt as far as the eye could see, and this country was going on the wrong path. What he did was to make sure everyone paid his or her own fair share so we had the revenues we needed to make the investments we needed to create the jobs we needed.

In those years, the investments were in high-tech and biotech, and we really broke through on the global scene. Madam President, 23 million jobs were created and deficits were turned into surpluses. I remember looking back at the record. Some of my Republican colleagues who are still here today said: The Clinton approach is going to lead to the worst deficits, no job creation. They were incorrect.

We lived through it, and we know that vision of cutting spending on what does not work, increasing spending on investments, everyone paying their fair share—all that turned into prosperity, 23 million jobs. What perplexes me is that my colleagues on the other side of the aisle want to go back to the Bush years, trickledown economics, more tax breaks for millionaires and billionaires, no investments, so we even lose funding for our teachers, our firefighters, our nurses, and even our transportation stakeholders.

I am so grateful we passed an extension of the highway bill for 6 months. But, believe me, we face perils ahead because the House cuts that bill by a third, and we have to make sure that does not happen because 1.8 million jobs are at stake.

So I am perplexed that my Republican friends only evidence compassion and concern for the millionaires and the billionaires, but not for the middle class. Their compassion for the wealthiest is overwhelming. Their expressions of concern for billionaires—mind boggling. They call them the job creators, even though they are not the ones creating the jobs. The jobs are being created, if they are at all, by the way, by the small businesspeople. For 64 percent of new jobs, the creation comes from small business. They do not earn a million dollars. No way. So they call millionaires and billionaires job creators, which they are not, and they cry bitter tears that we might ask a millionaire or a billionaire to pay a fair share.

When I was young—and maybe I shouldn't tell the truth because this is going to date me—there was a show on television called ''Dragnet.'' The star of it was Joe Friday. Joe Friday used to say: ''Just the facts.'' So let's look at just the facts. Let's look at the facts. Why are my Republican friends defending the wealthiest among us? Since 1995, the wealthiest 400 Americans have seen their tax rates fall by 40 percent, while their average income has quadrupled. Let me say that again. The wealthiest 400 families saw their income go up by four times and their tax rates went down by 40 percent. Why do they have to cry for that situation? Why the tears?

Here is another fact and this is amazing. The wealthiest 400 families are worth more than 50 percent of American families. Let me say that again. The wealthiest 400 families in America are worth more than 50 percent of America's families. Senator BERNIE SANDERS from Vermont brought that fact to us. Why the tears for those 400 families?

One of those people, Warren Buffett, came forward. Bless his heart. He said his effective tax rate is lower than his secretary's. His effective tax rate is lower than his secretary's. Why are we crying for people who earn millions and billions and pay a lower effective tax rate than their secretaries? I thank Warren Buffett for coming forward and other millionaires and billionaires have come forward and basically underscored that. Here is what he said:

> My friends and I have been coddled long enough by a billionaire-friendly government. It's time for our government to get serious about shared sacrifice.

I think he is right. Why should a millionaire or billionaire pay an effective lower tax rate than firefighters who risk their lives every day, than nurses who save lives every day, than their own assistants and secretaries who are so important in running their enterprises? Our President Obama has suggested millionaires and billionaires pay the same effective tax rate as their employees. That should be embraced, not attacked as class warfare.

I ask, is it class warfare to say to a millionaire or a billionaire they should pay the same effective tax rate as their secretary or is that just the moral thing to do? It is the moral thing to do. Is it the fair thing to do? It is the fair thing to do. Our country needs everyone to help us as we tackle the deficit. So why the tears? Why the tears? These are not the job creators. These are not people who have given the last 10 years. We have seen their incomes rise exponentially and their taxes go down.

So I don't think it is class warfare at all. It is just a talking point for Republicans. But since they have raised it, I would say this. I don't think it is class warfare to ask millionaires and billionaires to pay the same effective tax rate as their secretaries, but I think Republican policies are class warfare on the middle class. Look at their policies. They would end Medicare and put middle-class senior citizens in jeopardy. They want to privatize Social Security and put middle-class seniors in jeopardy. They want to cut one-third of the funds from transportation, which would mean 600,000 layoffs for middle-class workers.

They stopped us from helping small business by blocking Senator LANDRIEU's Small Business Innovation Act. They blocked the EDA—the Economic Development Act—which would have created 1 million jobs over 5 years. They have taken no action on the FAA bill. They have not appointed conferees, and we can't get that bill done that is hundreds of thousands of jobs.

When Republicans took control of the House, gross domestic product had grown at an average of 2.5 percent after the Recovery Act. Now it is down to 0.7 percent—from 2.5 percent of growth to 0.7 percent. The Republican Congress put the brakes on job creation, and that is a strong reason why this economy has slowed.

Even before they have read the fine print of President Obama's proposal, they say it is dead on arrival. So let us be clear: Again, asking millionaires and billionaires to pay the same as their secretaries is not class warfare, it is moral. Mark Cuban, the owner of the Dallas Mavericks, says it is the most patriotic thing we can do.

So instead of crying for millionaires and billionaires, I am thinking of sending a box of Kleenex tissues over there to PAUL RYAN, who is lamenting this attack on millionaires and billionaires. Poor thing. Poor guys, poor gals. Instead of doing that, let's fight for the middle class around here. Let's get our arms around deficit reduction by asking everyone who can to pay their fair share.

By the way, let's give tax breaks to the middle class. Do you know these same Republicans who are crying their tears for the millionaires and billionaires say they do not want to give a tax break to working people? They are against the payroll tax proposal which would suspend that payroll tax for a period of time. I ask them to stop blocking bills that would create jobs. Stop blocking tax breaks for the middle class. Stop going after middle-class seniors. Stop crying for billionaires and help us pass elements of the Obama jobs plan which include bipartisan proposals all of us have supported in the past.

I think that is critical. We did this before with Bill Clinton—we created jobs, we strengthened the middle class, and we created surpluses by asking everyone to pay their fair share. Remember, when our President took over, this country was bleeding 700,000 jobs a month. I remember that—700,000 a month. We were on the verge of losing our automobile industry. This President took action. He doesn't get the credit for that, and that is OK. There will be time enough to spell it out. But all we have to do is look back to those days. Credit was frozen.

The Presiding Officer remembers that. Capitalism was coming to an end. This President acted. I have to say this: I don't want to go back to those days of bleeding 700,000 jobs a month. I don't want to go back to the days of credit freezes. I don't want to see these deficits continue. I want everyone to pay their fair share. Most of all, I want jobs for the American people.

So if we can stop crying tears for the people who have it all and we can roll up our sleeves and work together for the middle class, we will strengthen this Nation. We will solve our problems, just as we did when Bill Clinton was President. We have the roadmap. President Obama has taken steps to follow that roadmap. We know it works. We will get these deficits down, we will get the debt down, we will help the middle class and, yes, the wealthiest among us will pay the same tax rate effectively as their secretaries. You know what, if we do that, Democrats and Republicans can feel good about this country again. Let's work together and let's not say now that we can't ask billionaires to pay their fair share and let's not keep the middle class from getting their tax cuts and their jobs. That is what is important.

I wish to thank the leaders on this issue for letting me have the time to talk about this middle-class attack that we are seeing, and I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Madam President, I wish to talk about an amendment I intend to offer linking TAA expansion to enactment of the three pending free-trade agreements.

I will send an amendment to the desk in the near future for consideration. This amendment makes the effective date for additional TAA funding contingent upon the enactment of our free-trade agreements with Colombia, Panama, and South Korea.

It is unfortunate this amendment is necessary. Supporters of this trade adjustment assistance bill tell us that TAA is a necessary precondition to submission of our pending free-trade agreements—a necessary precondition of the President. The President and his supporters say if TAA does not pass, the free-trade agreements will never be sent to Congress for our consideration.

I find this logic disturbing. It basically boils down to this: Spend more taxpayer money on one of our pet trade priorities or we will refuse to allow Congress to vote on trade agreements that we know will create jobs. The administration has said it will create 250,000 new jobs. By the way, at a time when unemployment is over 9 percent, I simply can't understand why the President continues to hold up these FTAs and their consideration.

Even today, we don't know if the President will actually send the FTAs to Congress if we pass TAA. So my amendment is very simple. It allows TAA to be approved, but it will only go into effect once the President submits the trade agreements to Congress, they are all approved, and when they are signed into law.

To me, this amendment is about fundamental fairness. If we are to meet the President's demands, we can at least ensure our top priorities are addressed as well.

I think it is worth taking a moment to review how we got here.

In December 2010, the President announced he had finally reached agreement with South Korea to renegotiate parts of that trade agreement. Touting the benefits of these changes, the President seemed poised to immediately begin working with Congress

toward its quick implementation; that is, the implementation of the Korean Free Trade Agreement.

In February, Senator MCCONNELL and I wrote to the President commending him for his strong support for the South Korea agreement but also expressing disappointment we did not see the same level of commitment to our pending free-trade agreements with Colombia and Panama. At that time, we warned that further delay would mean lost market share and alienation of key Latin American allies. We also made it clear each agreement would receive broad bipartisan support once the President submitted them to Congress for approval.

Three days later, the President responded when Ambassador Kirk testified before the Ways and Means Committee that the President had directed him to immediately intensify engagement with Colombia and Panama to resolve the administration's outstanding issues with these two agreements.

Senator BAUCUS and I welcomed that development when we wrote to Ambassador Kirk on February 14 and asked that he be prepared to provide testimony regarding what additional steps the administration believed Colombia and Panama should take and to provide a clear and expeditious timeline for moving both agreements through Congress.

Shortly thereafter, in early March, Ambassador Kirk notified Congress the administration was ready to begin technical work on the South Korea implementing bill with the intent to seek approval in the spring of this year. Senator BAUCUS and I welcomed this development but again called for a specific timeline for resolution of the outstanding issues with Colombia and Panama.

During our March 9 hearing on the administration's trade agenda, I made it clear that consideration of the South Korea agreement, without a clear path for the Colombia and Panama agreements, was simply not acceptable and that should the President ignore the will of Congress and send the Korea agreement without Colombia and Panama, I would do everything I could to make sure those two agreements were considered at the same time as Korea.

Shortly thereafter, in early April, the President finally took steps to fully engage with the Government of Colombia, announcing an agreement on a labor action plan that would enable the administration to begin working with Colombia to achieve benchmarks that, if met, would then enable the President to submit the agreement to Congress. A few weeks later, Panama met one of President Obama's preconditions for consideration of their FTA when they approved a tax information exchange agreement and finalized additional modifications to Panama's labor laws.

So there we stood in May, on the cusp of victory. Months of intense congressional pressure appeared to have finally resulted in an opportunity for Congress to consider our trade agreements with these important allies. But alas, it was not to be.

Mr. WYDEN. Would the Senator yield for a unanimous consent request? Because 5 o'clock is coming.

Mr. HATCH. I would be happy to yield, without losing my right to the floor.

Mr. WYDEN. I thank my colleague. Certainly, when I am done, the Senator is next to continue his comments.

I ask unanimous consent that the pending McConnell amendment No. 626 be modified with the DeMint language which is at the desk; and Senator HATCH or his designee then be recognized to offer amendment No. 641; that the time until 5 p.m. be equally divided between the two leaders or their designees for debate on the McConnell amendment, as modified; that at 5 p.m., the Senate proceed to executive session to consider the following judicial nominations: Calendar Nos. 169 and 170; that there be up to 15 minutes of debate on the nominations, equally divided, in the usual form; that upon the use or yielding back of the time, Calendar No. 169 be confirmed and the Senate proceed to vote without intervening action or debate on Calendar No. 170; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session; that upon disposition of the judicial nominations, the Senate proceed to a vote in relation to the McConnell amendment, as modified; that there be no amendments, points of order or motions in order to the McConnell amendment prior to the vote on the amendment, other than budget points of order and the applicable motions to waive; that the amendment not be divisible and it be subject to a 60-affirmative vote threshold; the motion to reconsider be considered made and laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 626), as modified, is as follows:

At the end, add the following:

TITLE III—TRADE PROMOTION AUTHORITY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Creating American Jobs through Exports Act of 2011''.

SEC. 302. RENEWAL OF TRADE PROMOTION AUTHORITY.

(a) IN GENERAL.—Section 2103 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803) is amended—

(1) in subsection (a)(1), by striking subparagraph (A) and inserting the following:

''(A) may enter into trade agreements with foreign countries—

''(i) on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013; or

''(ii) on and after June 1, 2013, and before December 31, 2013, if trade authorities procedures are extended under subsection (c); and'';

(2) in subsection (b)(1), by striking subparagraph (C) and inserting the following:

''(C) The President may enter into a trade agreement under this paragraph—

''(i) on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013; or

''(ii) on and after June 1, 2013, and before December 31, 2013, if trade authorities procedures are extended under subsection (c).''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''before July 1, 2005'' and inserting ''on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''after June 30, 2005, and before July 1, 2007'' and inserting ''on or after June 1, 2013, and before December 31, 2013''; and

(II) in clause (ii), by striking ''July 1, 2005'' and inserting ''June 1, 2013'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''April 1, 2005'' and inserting ''March 1, 2013'';

(C) in paragraph (3)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking ''June 1, 2005'' and inserting ''May 1, 2013''; and

(ii) in subparagraph (B)—

(I) by striking ''June 1, 2005'' and inserting ''May 1, 2013''; and

(II) by striking ''the date of enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''; and

(D) in paragraph (5), by striking ''June 30, 2005'' each place it appears and inserting ''May 31, 2013''.

(b) TREATMENT OF THE TRANS-PACIFIC PARTNERSHIP AGREEMENT AND CERTAIN OTHER AGREEMENTS.—Section 2106 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3806) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking the comma at the end and inserting '', or'';

(B) by striking paragraphs (2), (3), and (4) and inserting the following:

''(2) establishes a Trans-Pacific Partnership,''; and

(C) in the flush text at the end, by striking ''the date of the enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''; and

(2) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''the enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''.

SEC. 303. MODIFICATION OF STANDARD FOR PROVISIONS THAT MAY BE INCLUDED IN IMPLEMENTING BILLS.

Section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803(b)), as amended by section __02, is further amended in paragraph (3)(B) by striking clause (ii) and inserting the following:

''(ii) provisions that are necessary to the implementation and enforcement of such trade agreement.''.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Madam President, on the cusp of victory, the President sacrificed it by demanding more government spending on a controversial domestic training program.

After first asking Colombia, Panama and South Korea to take unprecedented steps to solve our President's concerns with each agreement, the administration held a press conference and, with no prior cngressional consultation or notice, announced that they would not submit our pending trade agreements to Congress unless Congress first agreed to continue funding a domestic spending program at near stimulus levels.

This was an astounding development. Instead of working with Congress to seek approval of these job-creating trade agreements the President chose to try and force Congress to agree to additional domestic spending first. In an opinion editorial, the Wall Street Journal called this move ''extortion.''

Weeks of intense negotiations followed between the White House, Senator BAUCUS and Chairman CAMP to develop a package that would expand and renew trade adjustment assistance through 2014.

Meanwhile, committee staff worked with the White House to prepare the implementing legislation for quick congressional consideration. It appeared that we were once again close to successfully considering these important trade agreements.

But yet again, it was not meant to be. Upon reaching an agreement on the substance of a trade adjustment assistance package with Chairman CAMP the White House again changed course, turning its back on a willing Congress and instead trying to force through consideration of trade adjustment assistance by including it in the implementing bill for the South Korea FTA.

And, once again, this was done with virtually no notice or consultation with Congress.

The reaction by the Republican caucus was predictable. We fought the administration's efforts to abuse trade promotion authority for its own narrow purposes and pushed for consideration of trade adjustment assistance on its own merits.

Our position was made clear in a letter—signed by every Republican member of the Finance Committee—to the President, in which we expressed our united opposition to inclusion of expanded trade adjustment assistance in an implementing bill submitted to Congress under trade promotion authority.

The administration ignored our concerns, and pushed forward on a partisan path to force a vote in the Senate Finance Committee.

As a result, while the implementing legislation for the Colombia bill and Panama bills received strong bipartisan support, the South Korea implementing bill moved through committee on a strict party line vote—the first time a trade agreement has done so in over 25 years.

The administration then vowed to move forward on this path within days.

After that we heard remarkably little from the administration about their intentions regarding these trade agreements. Until August, of course, when the President repeatedly called upon Congress to take the agreements up ''right now'' to help create jobs.

This hollow call for action typifies the President's approach to the trade agenda. By calling upon Congress to act, he appears to be embracing the agreements and pushing for their quick approval. But, like so many of the President's trade initiatives his words do not match his deeds.

In reality, Congress cannot take up these agreements ''right now.'' President Obama is relying upon a trade law called trade promotion authority to protect each of these agreements from being blocked or amended by Congress.

In order to take advantage of this statutory authority, it is not Congress but the President who must take the first step and submit each agreement for consideration. If the President does not submit them, Congress cannot act under trade promotion authority.

The President and his team know this. In fact, here is a chart which outlines the TPA process called ''How A Trade Agreement Moves Through Congress Under TPA.''

This was taken directly from the Web site of the Office of the United States Trade Representative. It clearly shows Congress cannot act until the President submits the agreements.

But why take responsibility for moving the agreements when it's much easier to blame their continued delay on Congress? The fact is the President wants all the benefits of trade promotion authority but none of the responsibility.

Once they were called out on the mismatch between their words and deeds, the administration finally reined in their rhetoric but provided little guidance as to what their actual plans are.

In the meantime, Republicans continued to push for consideration of the three pending FTAs. Back in July, a group of Republican Senators signed a letter vowing to help the administration achieve its objective of gaining approval of trade adjustment assistance in exchange for submitting the FTAs. Despite a clear path forward the President remains silent to this day.

As the President continues to delay, our country cedes each of these markets to our foreign competitors. Our economy and our workers are suffering under horrific levels of unemployment—almost one in ten American workers is out of a job under this administration. We can't afford to throw away any opportunity to create jobs. Yet this is precisely what the President is doing.

While our economy remains troubled, and while the rest of the world watches in bewilderment as the United States lets other countries take over our export markets, we hear nothing but silence from the President.

A case in point: the European Union's exports to South Korea increased almost 45 percent in the first 20 days since that agreement went into force on July 1. Their share of Korea's import market increased from 9.5 percent to 10.3 percent in just 3 weeks.

Meanwhile, the U.S. share of Korea's import market dropped from 10.5 percent to 8.4 percent. Unless we act soon, these trends are likely to continue.

In an open letter to the President and Congress, over 120 food groups and companies wrote that ''if there is any doubt about the seriousness of the problem for U.S. agricultural exports, one need only consider the damage that has already been done by the delay in implementing the Colombia FTA.

''Argentina and Brazil have negotiated trade agreements . . . with Colombia that have given them preferential access . . . as a result, U.S.-produced corn, wheat and soybeans have been hit hard, with the combined share of Colombia's imports for these products falling to 28 percent from 78 percent since 2008.''

On August 15, 2011, an agreement between Canada and Colombia entered into force, which will only make the problem worse for U.S. exporters.

I appreciate the President's goal of doubling exports. Having goals is great. But we all know that, if you don't do the work or take action, goals become little more than false hope—they never become reality.

The President and his cabinet admit that these agreements are key to their goal of doubling exports. Yet the action necessary to reach that goal, submission of the agreements, still remains in the distant future. Instead, we watch the days slip by, and with each day our overseas markets erode.

The fact is that each of these agreements is critically important to our economy. For my home State of Utah and for workers across the country they mean more opportunity and jobs.

The National Association of Manufacturers estimates that U.S. workers lose $8 million in wages and benefits every day these agreements are delayed.

I for one stand ready to continue to fight for their consideration and approval. We have come a long way since January of this year, but we are not done yet.

I hope the President will heed my call and submit these agreements to Congress so we can approve them. But history has shown that this President won't act unless he is forced to. This amendment I am offering will continue to put pressure on him to act and to act soon.

The time for dithering and deliberation is over. Let's adopt this amendment and ensure that our work in moving TAA forward leads to the promised result—submission of the three pending free trade agreements by the President and their quick enactment in to law.

AMENDMENT NO. 641 TO AMENDMENT NO. 633

Madam President, I send amendment No. 641 to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. HATCH] proposes an amendment numbered 641.

Mr. HATCH. I ask unanimous consent that further reading be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make the effective date of the amendments expanding the trade adjustment assistance program contingent on the enactment of the United States–Korea Free Trade Agreement Implementation Act, the United States–Colombia Trade Promotion Agreement Implementation Act, and the United States–Panama Trade Promotion Agreement Implementation Act)

On page 31 of the amendment, between lines 7 and 8, insert the following:

SEC. 231. EFFECTIVE DATE FOR TRADE ADJUSTMENT ASSISTANCE CONTINGENT ON ENACTMENT OF CERTAIN FREE TRADE AGREEMENT IMPLEMENTING BILLS.

Notwithstanding section 201(b) or any other provision of this subtitle, the amendments made by this subtitle shall take effect on the date on which the United States–Korea Free Trade Agreement Implementation Act, the United States–Colombia Trade Promotion Agreement Implementation Act, and the United States–Panama Trade Promotion Agreement Implementation Act have been enacted into law.

Mr. HATCH. Madam President, I am prepared to proceed.

EXECUTIVE SESSION

NOMINATION OF JOHN ANDREW ROSS TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI

NOMINATION OF TIMOTHY M. CAIN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will go into executive session and the clerk will report the nominations.

The legislative clerk read the nominations of John Andrew Ross, of Missouri, to be United States District Judge and Timothy M. Cain, of South Carolina, to be United States District Judge.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Madam President, while I am pleased we are going to confirm the nominations today, they have been pending in the Senate for 117 days for no reason or justification.

More troubling, the time of vacancies in courts around the country have remained at or above 90 for 2 years. We should be acting on the other 27 judicial nominations reported favorably by the Judiciary Committee and ready for an up-or-down vote. Never during either Republican or Democratic administrations have I seen a time when nominations, approved unanimously by the Judiciary Committee, then wait month after month after month to be considered on the floor.

Mr. President, President Obama came to Congress 2 weeks ago and made a compelling case for passing the American Jobs Act. The bill he asked us to pass includes bipartisan proposals that have received broad approval in the past from members of both parties, including extensions of tax relief for businesses to encourage hiring. They are consensus proposals we can enact today. We should answer the President's call and act right away to help get Americans back to work and grow the economy. With the unemployment rate at an unacceptable 9 percent, we in Congress should be doing all we can to help our fellow Americans.

There is another unacceptable rate that we can help change to the benefit of all Americans. That is the judicial vacancy rate. It now stands at 11 percent, with 94 vacancies on Federal courts around the country. We can act today to bring down that rate dramatically by considering and confirming 29 judicial nominations approved by the Senate Judiciary Committee that are awaiting final Senate action. With very few exceptions, the judicial nominations now on the calendar are not controversial and could be confirmed today.

Twenty-five of the 29 judicial nominations on the Senate Calendar were reported unanimously, and all but 1 of the 29 was reported with significant bipartisan support. All 28 of these consensus nominees have been favorably reported after a fair but thorough process, including an extensive background material on each nominee and the opportunity for all Senators on the committee, Democratic and Republican, to meet with and question the nominees. They have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. These are the kinds of consensus nominees that in past years would have been considered and confirmed within days or weeks of being reported, not delayed for weeks and months.

Certainly this was the practice we followed during President Bush's two terms, when consensus judicial nominees reported without any objection by the Judiciary Committee were confirmed an average of 28 days after they were reported. In President Obama's nearly 3 years in office that wait time for unanimously reported nominees to be considered by the Senate has nearly tripled to 78 days, and that number continues to climb as the delays continue. It is taking nearly three times as long for nominees that are by every measure consensus, noncontroversial nominations. They are nearly all confirmed unanimously when the Senate is finally allowed to vote. We should act today and not delay further.

The effects of these unnecessary delays have been dramatic and damaging. During the first years of the Bush and Clinton administrations, we were able to reduce vacancies significantly by confirming judges. The vacancies that had numbered over 100 early in those administrations were dramatically reduced by this juncture. By early September in the third year of the Bush administration judicial vacancies had been reduced to 54. By early September in the third year of the Clinton administration they had been reduced to 55. In contrast, the judicial vacancies now in September of the third year of the Obama administration stand at 94, with a vacancy rate of 11 percent, nearly double where it stood at this point in President Bush's third year.

As the Congressional Research Service confirmed in a recent report, this is a historically high level of vacancies, and this is now the longest period of historically high vacancy rates on the Federal judiciary in the last 35 years.

Even though Federal judicial vacancies have remained near or above 90 for more than 2 years, the Senate's Republican leadership continues to delay votes on qualified, consensus nominations. Republican obstruction has led to a backlog of over two dozen judicial nominations pending on the Senate's Executive Calendar, nearly half of them to fill judicial emergency vacancies. No consensus nomination to fill a judicial vacancy should be left to languish on the calendar 1 day longer than necessary, let alone for months and months.

Millions and millions of Americans are directly affected by this obstruction. More than half of all Americans—nearly 170 million—live in districts or circuits that have a vacancy that would be filled today if the Senate would act. More than half of all States—27—are served by courts that have nominations currently pending on the Senate's Executive Calendar. The Republican leadership should explain to the millions of Americans in these States why they will not vote. They should explain to the people of Louisiana, Maine, New York, Texas, Arkansas, Pennsylvania, Florida, Wyoming, Alaska, California, Delaware and Arizona why there continue to be vacancies on the Federal district courts in their States that could easily be filled if the Senate would vote on the President's qualified, consensus nominees. They should explain to the people of the many States that comprise the Second Circuit—Vermont's circuit—and the Fourth, Fifth and Ninth Circuits why those important Federal appeals courts are short on badly needed judges who could be confirmed today.

These 170 million Americans should not have to wait more weeks and months for the Senate to fulfill its constitutional duty and ensure the ability of our Federal courts to provide justice to Americans around the country. They should not have to bear the brunt of having too few judges available to do the work of the Federal courts. At a

time when judicial vacancies remain above 90, these needless delays perpetuate the judicial vacancies crisis that Chief Justice Roberts wrote of last December and that the President, the Attorney General, bar associations and chief judges around the country have urged us to join together to end. The Senate can and should be doing a better job working to ensure the ability of our Federal courts to provide justice to Americans across the country.

Some have pointed to delays on judicial nominations in the past, real or imagined, to justify the continuing failure to take serious action to address the vacancies crisis. They recall selected instances where Democrats voted against some of President Bush's controversial nominees to justify the across the board freeze on dozens of consensus nominees. They forget the progress we were able to make in those years to confirm judicial nominees and fill vacancies. We confirmed 100 judges in the 17 months I chaired the Judiciary Committee in 2001 and 2002. The Senate has yet to confirm 100 judges in this, the 32nd month of the Obama administration. This is another issue on which I hope that we can rise above what the President called ''the political circus'' to return to Senate's tradition practice of quickly considering and confirming consensus judicial nominations.

At the end of President Bush's first 4 years in office, the Senate had confirmed 205 of his judicial nominees. We have a long way to go to reach that total before the end of next year. At this point in the Presidency of George W. Bush, 149 Federal circuit and district court judges had been confirmed: On September 19 of the third year of President Clinton's administration, 162 Federal circuit and district court judges had been confirmed. By comparison, although there are 29 judicial nominees stalled and awaiting final consideration by the Senate—many of them stalled since May and June—we have yet to confirm even 100 of President Obama's circuit and district court nominees.

I hope that we can come together to return to regular order in the consideration of nominations as we have on the Judiciary Committee. I have thanked the Judiciary Committee's ranking member, Senator GRASSLEY, many times for his cooperation with me to make sure that the committee continues to make progress in the consideration of nominations. Regrettably, it has not been matched on the floor, where the refusal by Republican leadership to come to regular time agreements to consider nominations has put our progress—our positive action—at risk.

The two judicial nominations we consider today are the kind of nominees we can and should consider more quickly.

The nomination of Timothy Cain to fill a judicial emergency in the District of South Carolina has the support of both his Republican home State Senators—Senators GRAHAM and DEMINT. Senator GRAHAM was a law partner with Judge Cain in the 1990s, and he has spoken to the committee with enthusiasm about Judge Cain's experience and qualifications. During his 25-year legal career, Judge Cain has served as a city and county attorney, as an assistant prosecutor and a public defender, and as a judge in family court for the past 11 years. He has been selected to sit by designation on the South Carolina Supreme Court on five occasions. Judge Cain has seen the practice of law from all sides, and he will be a strong addition to the Federal bench.

John Ross is nominated to fill a judicial emergency in the Eastern District of Missouri and has the bipartisan support of his home State Senators. Judge Ross has served as a State judge in Missouri for over a decade. Since 2009, he has been the presiding judge for Missouri's 21st Judicial Circuit. He previously spent 9 years as the St. Louis County counselor, and 12 years as a State prosecutor, where he rose through the ranks to become the chief trial attorney in the St. Louis County Prosecutor's Office. Judge Ross has served the people of Missouri for his entire professional career. I am glad that the Senate will vote on his nomination today.

Both of these nominees will fill judicial emergency vacancies. Both have the support of their home State Republican Senators. Both were reported by the Senate Judiciary Committee unanimously, without any objection from a single Republican or Democratic member of the committee. They are both by any measure consensus nominees. Yet, their nominations have been pending on the Senate's Executive Calendar for 117 days, since May 26, with no reason or justification given for the delay.

While I am pleased we will consider these two nominations today and confirm them, this has taken far too long. More troubling still, these nominations are only 2 of the 29 judicial nominations reported favorably by the committee and ready for final Senate action. Despite a serious judicial vacancies crisis on Federal courts around the country, where vacancies have remained at or above 90 for over 2 years, Senate Republicans refuse to consent to consider nominations more efficiently. I hope that this month Senators will finally join together to act to bring down the excessive number of vacancies that have persisted on Federal courts throughout the Nation for far too long. We can and must do better for the nearly 170 million Americans being made to suffer by these unnecessary delays.

VERMONTERS HELPING VERMONTERS

Mr. President, I will continue because I am not taking time from anybody on this. The time has been reserved to talk some more, to talk about what has been happening in Vermont.

I have spoken many times about my native State and what we went through with Tropical Storm Irene.

I was born in Vermont. My family came to Vermont in the 1800s. Nothing in my lifetime has approached the devastation we see in our State. Vermonters have continued to struggle to regain a sense of normalcy. Bridges, railroads, and roads remain damaged or wiped out. Those many homes, businesses, and schools that were not entirely washed away are in need of profound repairs. Farmers are struggling to salvage what they can of their livelihoods.

It is late September. In Vermont, October can bring snow. But amid the din and destruction of the debris of this horrific natural disaster come hundreds of heartening stories of either things I have seen firsthand or I have heard about Vermonters rising to the occasion to help their neighbors and friends, even strangers, to mobilize to recover.

I saw a man shoveling out a store. I asked him if it was his store. He said: No. I said: Do you live here? He said: No; I live two towns over. I said: Do you know the store owner? He said: No. But, he said, I wasn't damaged. I wasn't hurt; he was. I would hope that if I was hurt, somebody would help me.

Vermonters are known for our sense of community. We are known for our plentiful determination. Our State's people have proven their fortitude tenfold in the aftermath of this disaster.

The Weston Playhouse, a renowned playhouse, where actors from around the country come in the summertime, had half their theater performance stage wiped out by the floods. The theater group stripped the entire playhouse, set up a temporary stage so they could perform their upcoming show.

The Town Meeting House in Pittsfield has been converted into a medical clinic. The Air National Guard dropped more than 14,000 Meals Ready to Eat in the town so that those stranded had enough food. In addition to those meals, many others have donated meat and other goods so there is plenty of food to go around. Schools have fundraised to help provide free hot breakfasts to students, and Vermonters around the State have opened their homes to those who have lost theirs during the storm.

Various fundraisers, including some college students who are classmates of my son, have a group called Phish. They did their first live concert in years and they raised over $1 million—just one thing after another. But then, there are also bake sales and car washes to raise money.

One way where the indomitable Vermont spirit has endured is through the remarkable efforts of Vermont students and schools. Schools have started. I know; I have grandchildren going to school there. The schools faced tremendous challenges to open their doors just days after Irene descended on us. Many had to delay opening for a few

days because the school buildings were serving as community centers for families who had lost their homes and children who had lost everything in the storm. But let me show a couple examples of students making the most.

Look at this New York Times picture. This is the Barstow Memorial School students in Chittenden. Chittenden is actually in Rutland County, down in the southwest part of our State. They used this trail to navigate on their way to school. They were going to go to school. They were cut off. There was no road to go to school, to get to the schoolbus. The parents of these children said: They are going to school.

Look at the mud on this child's legs. Look at the people. Look at them walking, carrying things. ''We are going to school.''

The washout on Route 4 took weeks to fix, so these students slogged along a muddy trail to meet vans and cars half a mile away, whether it was raining or dark or cold or anything else, and these cars carried the students to buses to take them the rest of the way to school. Community members helped chaperone the children on the trail. The whole community turned out. They stood there and they passed out snacks and refreshments.

When these students arrived at school, they were caked with mud. They didn't look like the children who normally come to school, but they were proud of their twice-a-day routine. They made it to school.

Moretown Elementary. This is one town over from where I live. I had a grandmother born there. They fared worse than many schools in the State. The buildings sustained damage and flooding overtook the school's septic system. The principal and teachers came together. They organized a series of field trips to get the kids out of the devastated town so they could continue in their studies. They visited Shelburne Farms and Montshire Museum, just to name two venues. Last week, with the school still closed, they met. They met. Look at that. The baseball field was covered by donated tents, as seen in this photo from the Web site of the Vermont Public Radio, where teachers held classes. The school's offices operated from popup trailers. Kids took well to their new school schedule, and teachers there are glad to provide the support they need.

The children of Vermont and their families and teachers are doing their utmost to make their way through these extremely difficult times. But these inventive measures are not permanent solutions. Vermonters are doing all they can and more to help each other recover, which makes it all the more dismaying that some in Congress seemed determined to play politics with disaster relief. Millions of American families and businesses, not just in Vermont but across the country have been devastated by an unprecedented series of floods, tornadoes, hurricanes, wildfires and other natural disasters this year, reaching into nearly every single State of our Union. This is no time to dawdle or to ignore the urgent needs of fellow Americans. We are one Nation, and until now we have willingly and generously come to the aid of our fellow Americans in times of need.

This is the time to help our fellow Americans who have suffered tremendous losses. Many of our states will take years to recover. I am pleased the Senate passed this essential bill last week, and I urge the House to send this emergency disaster relief bill to the President, without further delay.

We Americans are spending hundreds of billions of dollars to rebuild Iraq and Afghanistan. Let's spend this money amount to rebuild America for Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, we are on judicial nominees; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRASSLEY. I would like to, first of all, yield such time as he might consume, before I speak, to the Senator from South Carolina so he can speak about one of the judges that are up for nomination.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I wish to thank you and Senator LEAHY for bringing the nomination to the floor.

Very quickly, colleagues, this is a confirmation vote for Timothy Cain to be a Federal judge in South Carolina. Tim was my law partner, so I will just put my biases right out on the table.

He has been a family court judge since 2000 in the Tenth Judicial Circuit, dealing with the most complicated and emotional issues in the law, and we will not find one person who has practiced before Tim Cain as a lawyer who has anything other than high praise for the way he handles himself.

Tim has been a prosecutor, a public defender. He was assistant county attorney. He has a very distinguished record in the law. But, more important, he is one of the most decent people I have ever met. His wife Renee and son Martin are the most charming, decent people one could ever hope to meet. I thank President Obama for nominating him. I appreciate the support from Senator LEAHY and Senator GRASSLEY working this nomination through the process.

This will be a big win for the State of South Carolina and all who come before Judge Cain. He is a total package of intellect, character, integrity, common sense, judicial disposition and demeanor, and I could not be more proud. This is probably one of the most satisfying moments I have had as a Senator, to get up and recommend to my colleagues the approval of Tim Cain to be a Federal judge in the State of South Carolina. I just can't wait to see him take over in our courts and administer justice.

So I say to Senator GRASSLEY and Senator LEAHY, thank you both.

I yield the floor.

Mr. GRASSLEY. Mr. President, today the Senate will vote on the nomination of John Andrew Ross to be U.S. district judge for the Eastern District of Missouri, and also Timothy M. Cain, to be district judge for the District of South Carolina.

Both seats have been deemed to be judicial emergencies. With these votes, we have confirmed 67 article 3 judicial nominees during this Congress. Of these, 23 have been for such judicial emergency type districts. I am pleased that we continue to have great progress in lessening the burden of our overworked courts, particularly concentrating upon judicial emergencies.

I am somewhat surprised in the delay in bringing these votes we are going to have today to the full Senate, at the majority leader's request.

Senate Republicans cleared these votes nearly 2 weeks ago, with the anticipation that the Senate would vote on these nominees last Monday, September 12. So I hope everyone understands these nominees could have been confirmed 8 days ago. It was not the Republicans then holding up these for the last 8 days.

As I noted, we continue to make great progress in proceeding to President Obama's judicial nominees. These votes today are somewhat of a milestone. They are the 99th and 100th confirmation of President Obama's judicial nominees. As of today the Senate has confirmed 63 percent of President Obama's judicial nominees since the beginning of his Presidency.

Earlier today the Senate Judiciary Committee held its 14th nomination hearing. We have now heard from 82 percent of President Obama's judicial nominees this Congress. At this point in the 108th Congress, only 79 percent of President Bush's judicial nominees had received a hearing. We have also reported 69 percent of President Obama's judicial nominees compared to 67 percent of President Bush's.

I am pleased with the progress and will continue to move forward with consensus nominees.

Now I would like to say a few words about these two nominees.

John Ross is nominated to be U.S. district judge for the Eastern District of Missouri. He presently serves as a circuit judge for the 21st Judicial District in Missouri. Appointed to that position by the Governor in January 2000, Judge Ross was retained by the voters in Missouri in the retention elections of 2002 and 2008. During his tenure, Judge Ross was elected assistant presiding judge by his judicial colleagues in that circuit and served in that office from 2005 to 2009. He was subsequently elected as presiding judge and has served in that capacity from 2009 until now.

Prior to his appointment to the State bench, Judge Ross served as county counselor for St. Louis County and in the St. Louis County's Prosecuting Attorney's Office. He is a graduate of Emory University and the Emory School of Law. The American Bar Association Standing Committee on the Federal Judiciary unanimously rated Judge Ross ''well qualified.''

Timothy M. Cain is nominated to be U.S. district judge of South Carolina. Judge Cain presently serves as a South Carolina Family Court judge in the Tenth Judicial Circuit. The South Carolina General Assembly elected him to that position in 2000 and reelected him in 2004 and 2010. In 2005 the chief justice of South Carolina's Supreme Court appointed Judge Cain to serve as the chief administrative judge for the Family Court of the Tenth Judicial Circuit. By designation of the chief justice, Judge Cain also served as acting associate justice for the South Carolina Supreme Court on several occasions.

Prior to his judicial service, Judge Cain had a distinguished private practice in South Carolina. He maintained a general practice and assisted in representing several local governments and municipal clients. During his years of private practice he also served the public sector. Judge Cain served as a part-time assistant public defender with the Oconee Defender Corporation in that State.

From 1988 to 1990 he served as assistant solicitor general for the Solicitor's Office of the Tenth Judicial Circuit, where he represented South Carolina in prosecuting child abuse and neglect cases and various criminal cases.

In 1992 the county supervisor appointed Judge Cain as county attorney for that home county.

He is a graduate from the University of South Carolina and the University of South Carolina School of Law. The ABA Standing Committee on the Federal Judiciary unanimously rated Judge Cain ''qualified.''

I congratulate both nominees and yield the floor.

The PRESIDING OFFICER. Under the previous order, Calendar No. 169 is confirmed.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Timothy M. Cain, of South Carolina, to be United States District Judge for the District of South Carolina?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. BINGAMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 140 Ex.]

YEAS—99

Akaka	Gillibrand	Mikulski
Alexander	Graham	Moran
Ayotte	Grassley	Murkowski
Barrasso	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Hatch	Nelson (FL)
Bennet	Heller	Paul
Blumenthal	Hoeven	Portman
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Roberts
Burr	Johnson (WI)	Rockefeller
Cantwell	Johnson (SD)	Rubio
Cardin	Kerry	Sanders
Carper	Kirk	Schumer
Casey	Klobuchar	Sessions
Chambliss	Kohl	Shaheen
Coats	Kyl	Shelby
Coburn	Landrieu	Snowe
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Lee	Thune
Coons	Levin	Toomey
Corker	Lieberman	Udall (CO)
Cornyn	Lugar	Udall (NM)
Crapo	Manchin	Vitter
DeMint	McCain	Warner
Durbin	McCaskill	Webb
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Franken	Merkley	Wyden

NOT VOTING—1

Bingaman

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table.

The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

EXTENDING THE GENERALIZED SYSTEM OF PREFERENCES—Continued

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that there be 2 minutes equally divided prior to the next vote.

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

The Republican leader.

AMENDMENT NO. 626

Mr. MCCONNELL. Mr. President, my amendment on which we are about to vote would grant to the President something no President has had since trade promotion authority expired back in 2007. Without trade promotion authority, there will be no other trade agreements. We all know that. If America wants to be the leader of the world in trade, we have to have trade agreements.

What I have done here is offered trade promotion authority—what we used to call fast-track—as an amendment to trade adjustment assistance. They have been historically linked going back to 1974. I think it is a big mistake for our country, even if we provide trade adjustment assistance, to just operate as if there are not going to be any more trade agreements in the United States. We used to be the leader in world trade.

My party does not occupy the White House. I want the President of the United States, whoever that is, to have trade promotion authority because I would like to see us have an opportunity to have trade agreements in the future. All of our competitors have taken advantage of the fact that we have not had a trade agreement for years.

These three agreements were actually negotiated by the previous administration. So if we would like for this President or the next President—because this would extend TPA to the end of 2013, so it will grant this authority to the next President, whoever that is, in addition to this President—if my colleagues think we ought to have another trade agreement sometime in the future for the United States of America, I urge them to support my amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I agree with much of what the minority leader said. I very much believe we should negotiate free-trade agreements with other countries. I think we are behind the curve. Other countries are negotiating. We are being left behind. We should negotiate agreements that are good agreements.

The amendment offered by the Senator from Kentucky, however, is the 2002 version. A lot has changed in the last 10 years. There are environmental provisions, labor, and China is very much a competitor. I think it would be unwise to extend TPA because there are changes in the world today that this version does not reflect. It has to be updated to the current times.

Second, if this amendment would pass, then we wouldn't be getting free-trade agreements. The Speaker has made it very clear he wants a clean bill and then he will take up TAA—this bill—which many of us support by a large margin, and then he will take up the free-trade agreements. So if this body wants TAA and wants the FTAs, we have to vote against this amendment at this time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 626, as modified, offered by the Senator from Kentucky, Mr. MCCONNELL.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 141 Leg.]

YEAS—45

Alexander	Enzi	McCain
Ayotte	Grassley	McConnell
Barrasso	Hatch	Moran
Blunt	Heller	Murkowski
Boozman	Hoeven	Portman
Brown (MA)	Hutchison	Pryor
Burr	Inhofe	Risch
Chambliss	Isakson	Roberts
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Cochran	Kirk	Shelby
Corker	Kyl	Thune
Cornyn	Lee	Toomey
Crapo	Lieberman	Vitter
DeMint	Lugar	Wicker

NAYS—55

Akaka	Graham	Nelson (FL)
Baucus	Hagan	Paul
Begich	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson (SD)	Rockefeller
Blumenthal	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (OH)	Kohl	Shaheen
Cantwell	Landrieu	Snowe
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Collins	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murray	
Gillibrand	Nelson (NE)	

The amendment (No. 626), as modified, was rejected.

The PRESIDING OFFICER (Mr. BENNET). On this vote, the yeas are 45, the nays are 55. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. BAUCUS. Mr. President, I move to reconsider the vote.

Mr. GRASSLEY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I wish to address the Senate for about 6 or 7 minutes on a trade issue that normally I would be offering an amendment on. I am not going to offer an amendment during this debate because I think it is very important we move forward with this legislation so, hopefully, the President will stop moving the goalposts and send to the Senate Panama, Colombia, and South Korea.

But the reason I address the issue of the general system of preferences is because, quite frankly, I am sick and tired of a lot of nations—that may not be considered developed yet but advanced very rapidly in the last 20 years—taking advantage of our GSP system. I do not mind them taking advantage of our GSP system, but what irritates me is a lot of times in WTO negotiations, they are the very same countries that are finding fault with the United States and Europe not giving enough on agricultural issues, as an example, at the very same time these countries have very high tariffs on our products getting into their country, when they get, under GSP, their products into our country duty free.

So, Mr. President, I want you to know I appreciate the fact we are finally debating the merits of trade legislation.

Most people agree that one way we can help our economy is by opening and expanding markets for American-made products. I look forward to the President, as I just said, sending us the free-trade agreements. In the meantime, much of the discussion has centered on the bill before us, the GSP and the Trade Adjustment Assistance Program.

While it is important for us to have a discussion on the merits of TAA, I do not want my colleagues to overlook the significance of the underlying bill. This bill extends the general system of preferences. This program provides one-way—and I want to emphasize—duty-free access to U.S. markets. So over a period of several decades, we have been awfully good to a lot of countries that we think we ought to help and we have been helping.

The basic principle, then, behind the GSP is to provide certain goods made in developing countries with preferential market access to the United States in the form of this duty-free status. The intention is to help spur economic growth in developing nations.

I support the premise that we can help developing countries by promoting trade. But I can also tell you that our patience is getting very thin with some of those countries, particularly when we see them not reciprocating in a way that they have the capability of reciprocating. Our trade relations, however, should increasingly be based upon reciprocity by which other countries will provide the same open access to U.S. exports. In other words, as those countries become more developed, we need to require that they move toward operating on a level playing field with the United States.

Congress needs to take, then, a hard look at GSP and scrutinize whether it is helping accomplish the U.S. trade agenda. I think we would find some of these countries coming up short. In another environment of discussing trade, I would be taking a different approach: that we would send a clear signal to some of these countries of our impatience, and they are going to have to graduate off GSP. If other nations believe they will always enjoy GSP, then what incentives do they have to open their markets to U.S. goods? That is why we ought to very much advance the system of graduating off GSP with some of those countries.

There are nations that benefit from GSP that, quite frankly, have moved beyond what I consider to be developing countries. I continue to question why we provide preferential treatment at all to the products from countries such as Brazil and India. These countries have at times worked against the trade interests of the United States, including resistance to reducing high tariffs on U.S. exports. Both of these countries have countless products competing in the global market with U.S. products.

I am not offering an amendment, as I have already said, to this GSP bill, not because I do not think my position is good but because I want to see the pending trade agreements submitted and approved by the Congress. I am not interested in raising any barriers that make that task more difficult than the President has already made it.

However, I will continue to push for reform of GSP. I urge my colleagues to take a close look at this program and consider the points I have raised in the past and I am raising right now but not raising in the form of an amendment that ought to be offered at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

MORNING BUSINESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

DISASTER RELIEF

Ms. LANDRIEU. Mr. President, I know the short debate we had, just in the last couple of hours, and the votes are important, about the Senate and the House figuring out a way as to how to move forward on some of the trade agreements that are pending, and the appropriate ways to make sure American workers are not left behind, that they are actually helped and supported. And those issues are very important.

But I come to the floor today to talk again about another important issue that is pending before the Congress right now that is of extreme importance to millions and millions of Americans who are following this debate through the viewing of the procedures here on the Senate floor and in the House, and also following on Twitter and other Internet sites and opportunities on their local news and radio stations about what we are doing on disaster relief.

That is a good question because I think—and many of the Senators, Democrats and Republicans, as well, on the Senate side; particularly 10 of my colleagues from the other side who stood with us last week to say—it is time to fund the disasters in America today.

We are questioning why the House of Representatives is dragging its feet on this important issue or why the leadership, the Republican leadership in the House would be even hesitating to fund the ongoing needs of FEMA, the Corps of Engineers, the Department of Housing and Urban Development through community development block grant funding and agricultural disaster relief, which is so important.

In disasters, sometimes the pictures are focused on cities or suburbs, and it is heartwrenching.

It is heartrending.

I will show you some of those pictures now. This is Joplin, MO, earlier this year. A third of the city was literally destroyed by a group of tornadoes that came through. Some of the weather specialists said they had never clocked winds of this speed and power in the entire time they have been recording this data. They said they believe some of the winds exceeded 300 miles per hour. This is horrifying.

For those of us who shudder at category 4 and 5 hurricanes which can blow up to 150 miles an hour, the idea of 300-mile-an-hour winds is beyond our comprehension. But that is what happened in Joplin, MO.

Then, here we have the Outer Banks of North Carolina. It is heartbreaking to see the water come up on barrier islands. We have many barrier islands where people live safely. When the water rises, everybody doesn't just pick up and leave the island forever. They use their engineering and might to come up with better technology. They invest wisely. That is what we have to do to help these families.

These fires could be California, and it could also be Texas. Texas has had over 20,000 wildfires this year, I understand.

Here is a rural community. Sometimes we see pictures of these urban areas and these coastal areas that make for great television, but we don't always see farm communities underwater. This is what happened around our country. Why the Republican House leadership says that now is the time to try to find offsets for these disasters—had we insisted on that for the Katrina and Rita recoveries, the gulf coast would still be devastated. But year after year as a country, when our people have been harmed by natural disasters this National Government has come together and said: Yes, we as a nation, the United States of America—we are not a divided nation—is going to come to help our brothers and sisters who need help.

Why is this different? The House Republican leadership can't run fast enough to spend money and send money to Iraq and Afghanistan to rebuild those communities and those cities. Yet when our own people from these communities ask for help, they want to now throw up the smokescreen that we have to find an offset.

Let me give two good reasons: One, we are eventually going to have to pay for everything the Federal Government shells out. We are going to have to find the money to pay for it. But we don't have to find it this week. We don't have to find it next month. We can debate that as the process of legislation goes on. We can say yes to full funding for disasters now, not an inadequate amount of money, which is what the House wants to do.

Let me tell you how ridiculous the House position is. Not only do they want to partially fund FEMA and basically fund it for only 6 weeks, which is the extension of the continuing resolution, they want to basically say we will extend the Government of the United States to operate for 6 weeks at the current level of spending, and we will agree that FEMA can operate for another 6 weeks.

If they don't already know this, let me remind them that Governors, mayors, and county commissioners who are struggling to rebuild communities after disasters such as this need a little more than 6 weeks to do planning. They need a year or two sometimes to actually come out of shock, to have public meetings with people.

I have been through this and lived through this. You have to organize community meetings neighborhood by neighborhood. Sometimes in a community—let's say in Joplin—I don't know how many schools they had, but in our case out of 147 public schools in New Orleans we had 100 that were damaged beyond repair, uninhabitable. We could not decide in 4 weeks what we were going to do. We had to take a long time, and we needed to know that the Federal funding would be there. This government acted—not as quickly as I would have liked, but it acted under the prior administration.

Finally, we got the long-term funding commitments that our Governors and mayors needed—Democrats and Republicans alike—to lay down good and smart plans because they knew what they could count on. Why the House doesn't want to do that, I don't know.

Second, I have heard criticism of the Senate approach, which I am proud to lead. They say things in the press such as: Well, the Senate just picked a number out of the air.

Let me be very clear. We picked no number out of the air. The clerks of the Appropriations Committees, who are steeped and knowledgeable about what these agencies need now and what they may need in the years ahead, met and crunched the numbers. Senator REID looked at those numbers, took them down a bit to try to accommodate the anxiety on the other side of the aisle about spending too much money, and came up with a rational, reasonable number for FEMA, for agricultural relief, and for community development block grants. I think under the circumstances that is about the best we could do.

Do you know what the House of Representatives did, which makes no sense whatsoever? I hope some of the print press are listening to this so they might write this in the newspapers tomorrow. They took last year's number. These disasters are happening now. They took the number that was in the bill before the disasters happened and plugged that in, like they are doing something good for the country, and basically said: Take 6 weeks of it, and then we are out of here. We are going home for the week.

I don't take kindly to any kind of criticism that the Landrieu numbers or the Senate numbers might not be crunched or reviewed carefully enough. I have done the best review I can possibly do, and I have every confidence that the numbers I have presented to this Senate—about $6.9 billion—are as accurate an assessment I have at my fingertips to say what we are going to need in the next year.

At least I am dealing in reality. In what land do they live? This isn't about a year and a half ago; this is about now. Their number is wrong, their approach is wrong, their approach is totally insignificant and inadequate, and it is morally wrong.

I will not even ask the clerk to do a beautiful job trying to type everything we say—and sometimes it is hard to keep up—because we don't have everything written down, and I am not even going to ask them to print this in the RECORD because it is really too long. I want to read a little bit from this.

This is the whole list of projects that the Republican House leadership, with all their—I will say what it is; it is shenanigans. These are the projects they have stopped. We all know about big cities such as New Orleans and Chicago and New York. We hear about all these big cities such as Denver and Birmingham, AL, but we don't hear about cities like this so often. I will read some of them into the RECORD because these taxpayers deserve to have their cities read into the RECORD. That is where these projects are going on that the Republican leadership in the House says they don't really need the money now and they can wait. These have all been put on hold.

Here is a town I have never been to, Crooked Creek, AL. There is a public building there—a vehicle maintenance shop—that is on hold. Here are Florence, AL, and Lipscomb, AL, and Evergreen, AL. There are five pages for little towns in Arkansas that maybe don't make the front page of the New York Times or the Washington Post, but they are important communities. They are important to our country. Here is Herbert Springs. I have never heard of it, but I am sure it is a lovely place to live. They have several projects that have been held up.

I could go on and on through every State in our country—small towns and counties that have been devastated—roads, bridges, public buildings, and water-sewer control facilities.

Again, I think people at home are looking at and reviewing this debate and saying: Let me get this straight. Speaker BOEHNER and Majority Leader CANTOR rush to fund rebuilding in Iraq and Afghanistan and didn't require offsets when we went into war and this rebuilding effort. But now we have to debate for weeks and months over finding proper offsets to rebuild here?

I hope people will let their voices be heard in the next couple of days. It is very important.

We had a very important vote on the floor of the Senate last week. We don't often have bipartisan cooperation. I thanked by name the 10 Republican

Senators who helped on this effort because they said: Party politics is important, and sometimes party politics dictates the way that I should look and vote and feel, but not on this because this is disaster aid that is either going to my State—or, potentially, in Senator RUBIO's case, who knows what disasters are like in Florida. He said: It could happen, Senator LANDRIEU, and if it happens in Florida, I certainly want to come back and ask the Nation to help and not have to be engaged in a debate in finding an offset. I would rather work with my mayors and county commissioners to find a way to rebuild.

I have embellished a little bit of the conversation, but I know that is what was on his mind. He said: I can't think of what Florida would do.

Senator VITTER from Louisiana, who has been shoulder to shoulder with me in helping with our disaster recovery—we have pages. Jefferson Parish called me the other day—a Republican mayor of Jefferson Parish—and said he has $100 million in help for Jefferson Parish stopped up because of this unnecessary debate.

We have the two Senators from Maine, Ms. COLLINS and Ms. SNOWE, who most certainly felt the effects of Hurricane Irene up the east coast. We also had Senator TOOMEY from Pennsylvania whose State also received record amounts of flooding. We had Senator BLUNT from Missouri—the people of Missouri not only are desperate for FEMA money, they need agricultural help immediately, community development block grant funding, and they need Corps of Engineers funding. Is there Corps of Engineers funding in the House approach? Zero. Zero for the Corps of Engineers.

If you are representing a community that has had flooding because your levee failed or you don't have a levee and you need one or because your runoff or streams were not regulated appropriately, you most certainly don't need to call Craig Fugate. You need to call the Corps of Engineers. They are going to tell you they are out of money. We have grossly underfunded the Corps, in my view, in capital projects year after year. And, frankly, both Republican and Democratic Presidents have been guilty of underfunding the Corps of Engineers and their budgets because in the old days, when we could earmark, we would add back money to the Corps. But those days are over, A, because we are not earmarking and, B, because we are on tight constraints.

The Corps of Engineers has no emergency funding. If you are interested in protecting your communities and levees and flood control, and you vote against the Senate position, you are going to have a lot of explaining to do because even when you go home and pound your chest and say: I voted for the House number that was last year's number, there is no money there for the Corps of Engineers. So good luck explaining that to your constituents. I could not explain it to mine and remain a Senator from Louisiana.

This is an example of what some of my coastal levees look like.

The other thing we have to battle—but this is a battle for another day—is when the levees break up like this—and this is the coastal barrier—the Corps of Engineers is actually prohibited from building them better. We have had solutions for this. We are going to try to get that changed. But this is a constant battle and a big issue not just for the State of Louisiana but for the gulf coast, the eastern seaboard, and the west coast as well. So we will continue to work in that regard.

Mr. President, I ask unanimous consent to speak for an additional 5 minutes. I don't see anyone else on the floor wishing to speak.

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

Ms. LANDRIEU. Let me show what some of the Republican leaders who are not in the House of Representatives are saying. And we should listen to them because this is from the Governor of New Jersey, Governor Christie, a leader in the Republican Party, a conservative leader of the Republican Party. No one would accuse him of not being a strong voice for conservative philosophy. He said: Now is not the time, ladies and gentlemen in Congress, to argue for weeks and weeks or months and months about finding offsets for these disasters. Let's fund them. Let's fund them robustly. These are job-creation opportunities for our communities. It is about smart planning and being a reliable partner with the State of New Jersey and my counties. He said: Let's get about the business.

In fact, he specifically said:

> You want to figure out budget cuts, that's fine. You expect the citizens of my State to wait? They're not going to wait, and I'm going to fight to make sure that they do not. Our people are suffering now and they need support now. We need support now here in New Jersey, and that is not a Republican or a Democratic issue.

I just got off the phone with Governor Christie within the hour, and this is still his position. He said he is not backing down, and he is going to continue to give voice to this issue. I wish the Republican leaders in the House would listen to him.

We have had Republican leaders in the Senate—I named about six of them—and I want to compliment the others later on when I get back to that point.

This is what Gov. Bob McDonnell of Virginia said:

> My concern is that we help people in need. For the FEMA money that's going to flow, it's up to them on how they get it. I don't think it's the time to get into that deficit debate.

I want people to think about this. Let's say we have another hurricane season like we had—I believe it was right before Hurricane Katrina. I believe it was in 2004 that we had four hurricanes hit the State of Florida—four in 1 year. It was devastating to the State of Florida.

Does anyone think it would be the right thing to do to get the Governor of the State of Florida, the Senators of the State of Florida, the entire congressional delegation of the State of Florida and every accountant working for every county to come up to Washington and go through the Federal budget to find where they can cut, right there, that week, while the winds have just died down? Would we have to get the Florida accountants to come up here to find an offset so we could send the help to Florida?

That argument is ludicrous on its face. I wouldn't want Senator RUBIO worrying about that. I wouldn't want Senator NELSON worrying about that. I would want them comforting their people. That is what I would want to see them do because I had to do an awful lot of that. And I am sure they would do it naturally. I would want them going shelter to shelter and telling people it is going to be OK. I would want them visiting with businesspeople, pleading with them not to pick up stakes now but to invest in Florida because it can be a good place to come back to. I would want them saving their universities and working on that as well. The last thing they would need to be doing—and their staff—would be taking out a pencil and putting on their green eyeshades and going through the Federal budget to see where we could eliminate this from Colorado, with no time for hearings or oversight because we have to act now. Let's just cut out all these programs.

That is hogwash. It is ludicrous on its face. It is not the way a government should be run. It is not about conservatives or liberals; it is truly just stupidity. It makes me so angry that anyone would suggest this.

So, again, let's send the help now. We can find a way to pay for this. We are finding a way to pay for Katrina now. We do it through the ordinary budget process. We are finding a way to reduce the deficit substantially. That is what the committee of 12 is about. That is what all our debates are about. That is what the appropriations process is about. But not now.

Tom Ridge. If you don't think the Governor of Virginia is an expert on this or the Governor of New Jersey—though I think they are pretty strong public figures—how about the first Secretary of the department that oversees disaster response, Tom Ridge himself? Here is what Tom Ridge said last week when this debate started:

> Never in the history of the country have we worried about budget around emergency appropriations for natural disasters. And frankly, in my view, we shouldn't be worried about it now. We're all in this as a country. And when Mother Nature devastates a community, we may need emergency appropriations and we ought to just deal with it and then deal with the fiscal issues later on.

Thank you. That is exactly what we should be doing.

So, Mr. President, I have tried, as the leader of this committee, not to make

this a Democratic or Republican issue. I have asked and succeeded in getting 10 of my Republican colleagues to join the effort. So this isn't trying to make one party look good or one party look bad. All we want to do is help disaster victims and help the Governors and the mayors and the county commissioners who, right now, believe me, are just pulling their hair out. They have very limited tools. They are not sure what they can do.

People are angry, they are devastated, and they are shocked. Families are having to bunch in and live together. Some people are still in shelters. I have been through this nightmare. I know what they are going through. And then they have to hear from Washington that the ERIC CANTOR crowd decided now is the time for us—even though for 50 years we have been doing emergency funding—to figure out where to get offsets before we can send them help. This is no way to run a railroad, and it is no way to fund disaster assistance.

As I said earlier, this color is too pleasant—this green on this map—to really reflect what this map shows. These are all the States in the Nation that are experiencing disasters this year. For the first time in a very long time—maybe in our history—we have had Presidential disasters declared in all but two States. They are different kinds of disasters—some fire, some floods, some earthquakes—but nonetheless devastating to the communities trying to rebuild. So this isn't a Texas or Louisiana or just a west coast issue, this is an entire nation that is waiting for Congress to act and to send not just FEMA money but FEMA, the Corps of Engineers, Agriculture, and community development block grant funding. For the life of me, I cannot understand why we are having this debate at all.

Just to recap, here is the list. And I will not ask that it be submitted for the record because it is too long and comprehensive. It is very fine print of project after project that has now been stopped—stopped—because FEMA is operating on fumes. They are virtually out of money.

Now, yes, the new fiscal year for the Federal Government starts next week, but, remember, the House of Representatives only offered 6 weeks of help based on last year's reality. They are not even taking into account what actually happened. They are just saying: Well, we budgeted $2.65 billion last year; that must be good enough for this next year—not taking into account any of the realities of what I have just talked about. And by the way, you can have basically a 6-week rate—no money for the Corps of Engineers, no money for Agriculture.

Please, if you hear one thing—any of the Members of the House who are considering voting for this—please don't try to go home and explain this to your constituents because hopefully they will be smart enough by listening to this debate and understanding that you really didn't vote to help them. You voted for some philosophy that is hard for even some in your party to understand, but you did not vote to help your constituents.

One final point. People on the other side will say: Well, I voted for this $2.65 billion, and I know it is not a real number, but it is sort of enough to get everybody through, and then we will pass the regular appropriations. Mr. President, I have heard that as well. And then when the regular appropriations bills come, this money can be tucked into these bills and help will be on the way, they will say.

Well, I want to say again that 1994 was the last time this Congress passed all 13 appropriations bills on time and got them to the President's desk. So that is wishful thinking. That is not going to happen this year, no matter how hard we try, because it hasn't happened since 1994.

So don't think you can fool your people and say: Well, I voted for this, but we are going to help you through the appropriations process. I am on the Appropriations Committee. We have had a very difficult time because of all sorts of reasons in getting our process back on track. We are supposed to be finished with all of our bills in November. It is already the end of September, and we still don't have all our bills out of committee. And even if the House has their bills out of committee, getting those numbers reconciled between the House and the Senate sometimes takes months. Sometimes, Mr. President, as you know, we never get to it and we just do a continuing resolution. So there is not enough appropriations in the regular bills.

So for all the reasons I spoke of—and I will end where I started—let's fund disasters now. Let's fund the help to our people now. We are going to be here until Friday—potentially our leadership will keep us in until we get this resolved. But the Senate has made a great bipartisan effort, with Senators such as Senator BLUNT and Senator TOOMEY and Senator VITTER and the Senators from Maine and other Senators from the other side who have joined this effort.

I am asking the House: Please reconsider your position. Please fund disasters now. We will figure out the way to pay for this over time. We have already made provision for this in the negotiations that were done a month ago between the Republican and House leaders. Our people are depending on us to act.

Mr. President, again I urge my colleagues in the House, please reconsider your position. Join the bipartisan work underway in the Senate to get this job done for the people we represent and the people of our country who are truly desperate for us to act right now.

Mr. President, I yield the floor.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 139, a vote on the motion to invoke cloture on the motion to proceed to consider H.R. 2832, a bill to extend the Generalized System of Preferences, and for other purposes. Had I been present, I would have voted yea to the motion to invoke cloture.

RECOGNIZING SOUTHEAST KENTUCKY COMMUNITY AND TECHNICAL COLLEGE

Mr. MCCONNELL. Mr. President, I rise today to recognize one of Kentucky's most successful educational institutions, Southeast Kentucky Community and Technical College, SKCTC. Beginning last year, SKCTC celebrated its 50th anniversary of providing higher education in southeastern Kentucky across five full-service campuses. To commemorate the event, SKCTC's Pineville campus held an open house for over 500 high school students from the area. To highlight the school's success over the years, President Dr. W. Bruce Ayers gave a presentation of SKCTC's history to all who attended.

SKCTC's Pineville campus was originally launched in the early 1960s as a nursing school. Over the years, the school expanded its buildings and curriculum and has become the main location for many of SKCTC's medical programs.

The campus is home to about 50 percent of the school's allied health students, who are enrolled in programs such as respiratory therapy, radiologic technology, surgical technology, clinical lab technology, or one of several nursing programs to become a licensed practical nurse or a registered nurse. As a whole, SKCTC holds a remarkably high pass rate on licensing exams for graduated students—some of the medical programs maintain a pass rate of 100 percent. As a result, the majority of SKCTC students leave the school with a medical license of some kind.

The people of southeastern Kentucky are privileged to have such a reputable institution that continues to provide future generations of Kentuckians with a quality education year after year. To help celebrate this landmark occasion, Mr. President, I ask unanimous consent that an article describing the anniversary celebration at SKCTC—Pineville be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Middlesboro Daily News, Mar. 22, 2011]

SKCTC ANNIVERSARY CELEBRATED AT PINEVILLE CAMPUS

(By Lorie Settles)

PINEVILLE.—The fiftieth anniversary of Southeast Kentucky Community and Technical College (SKCTC) was commemorated at the Pineville campus on Friday with an open house for area high-school students.

Members of the faculty and staff of SKCTC Pineville welcomed nearly 500 teens on Thursday and Friday, reported Kim Ayers, the college's recruiter. The guests hailed from high schools including Jellico, Harlan Independent, Cumberland Gap, and Knox Central.

Students enjoyed guided tours of the campus on Thursday and Friday, and were presented with facts and demonstrations about the programs available at the Pineville Campus.

''We are delighted to be able to celebrate the fiftieth anniversary on the Pineville Campus and we are equally delighted to have so many folks visit us,'' said Dr. W. Bruce Ayers, President of SKCTC. ''This campus has meant so much to the area and so much to the college for a number of years.''

The southeast division of the University of Kentucky was launched in 1960, and has been an important facet of the Bell County community since the birth of the Pineville and Middlesboro branches of the college.

At the open house, Dr. Ayers shared some of the history of the institution. The Pineville campus, he explained, joined the SKCTC family in 1998, but had been in the area for some time.

''This particular campus actually began as an LPN nursing school down in Pineville, and moved here after they were flooded out in the 1970s. They moved up here, got a new building and expanded the curriculum. They've been doing a splendid job here in allied health since that time,'' said Dr. Ayers.

Although the building situated on Log Mountain is relatively small compared with many other campuses, it is able to house a number of programs in the medical field. Each year, students begin programs in Respiratory Therapy, Radiologic Technology, Surgical Technology, Clinical Lab Technology, or enroll in a nursing program to become a Licensed Practical Nurse or Registered Nurse.

The Pineville campus is a vital part of the SKCTC family, serving as a main location for many medical programs.

''We train probably about 50 percent of our allied health students for the entire college here,'' remarked Dr. Ayers of SKCTC Pineville.

The majority of those students leave the school with a medical license. Ayers reported that the campus boasts ''remarkably high pass rates'' on licensing exams, and that several programs maintain a pass rate of 100 percent.

Those numbers serve as proof, he says, that students in the area are as bright and capable of success as students anywhere in the country.

SKCTC's anniversary was celebrated in Middlesboro in December.

REPEAL OF DON'T ASK, DON'T TELL

Ms. COLLINS. Mr. President, I rise today to recognize the repeal of the Don't Ask, Don't Tell law. Today marks the end of the 60-day waiting period following notification to Congress that the necessary certifications were made by the President, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff regarding this change in policy. I am pleased that this discriminatory law was relegated to the past early this morning at midnight.

I am proud to have played a role in this repeal, and I thank my colleague Senator LIEBERMAN who, when prospects seemed most dire, worked with me to develop a strategy to pass a stand-alone version of the bill that ultimately resulted in repeal of DADT.

It was almost 4 years ago when I first asked ADM Michael Mullen, then Chairman of the Joint Chiefs of Staff, about the Don't Ask, Don't Tell policy. That was the first, but not the last, time that Admiral Mullen courageously testified in front of the Senate Armed Services Committee about the need to debate and evaluate the DADT policy.

It seemed to me then—as it does now—that our Nation should not refuse the service of patriots who willingly answer the call to arms, simply on the basis of their sexual orientation. If individuals are willing to put on the uniform of our country, to be deployed in war zones like Iraq and Afghanistan, to risk their lives for the benefit of their fellow citizens, then we should be expressing our gratitude to them, not trying to exclude them from serving or expelling them from the military.

Since 1993, more than 13,000 men and women have been dismissed from service and countless more have been barred from serving. Society has changed a great deal in the last 18 years since President Clinton signed the ''Don't Ask, Don't Tell'' law, and I am proud Congress took the lead to repeal the law.

I thank the LGBT community for their outreach and support of this effort. I especially was honored by the number of servicemembers both active duty and retired who have thanked me for this effort, or who have shared their personal story of how the law was affecting their lives. I recently received one of those stories on a postcard with a stamp from overseas that was signed ''An Army Soldier.'' I would like to have his message printed in the RECORD because his words represent the sentiment of so many other brave men and women of our fighting forces.

His postcard says this:

Dear Senator Collins, I will still be deployed in Afghanistan on 20 September when [Don't Ask, Don't Tell] is finally repealed. It will take a huge burden off my shoulders—a combat zone is stressful enough on its own . . . I will repay your courage with continued professionalism.

With a spirit of service such as this, is there any doubt we should be welcoming this warrior into our military? I want to thank this anonymous soldier for taking the time to share this important message with me and with my colleagues. Because of soldiers like him, our country remains strong and our military united in a common cause with the freedom of individual expression guaranteed by the liberties they fight to preserve.

TRIBUTE TO ADMIRAL MIKE MULLEN

Mr. GRAHAM. Mr. President, today I wish to pay tribute to Mike Mullen who is retiring as the 17th Chairman of the Joint Chiefs of Staff after more than 43 years of distinguished service to our country.

Admiral Mullen began his rise in the Navy as a midshipman at the U.S. Naval Academy, where he became a proud graduate in 1968. Upon graduation, then Ensign Mullen reported aboard the USS Collett, deploying to the Western Pacific and participating in combat operations off the coast of Vietnam. Eventually, his career at sea would include serving aboard six other warships, including command of three, as well as command of the George Washington Carrier Strike Group and U.S. Second Fleet.

He supplemented his systems engineering degree from Annapolis with a master of science degree in operations research from the Naval Postgraduate School in Monterey, CA, and a business degree from the advanced management program at Harvard.

Ashore, he similarly distinguished himself with tours at the U.S. Naval Academy, the Bureau of Naval Personnel, the staff of the Chief of Naval Operations as well as in the Office of the Secretary of Defense.

With an already exemplary career of service at sea and ashore, Admiral Mullen became the Navy's 32nd Vice Chief of Naval Operations in 2003. During the first half of 2005, he served as Commander of NATO's Joint Force Command Naples and Commander, U.S. Naval Forces Europe, leading the Alliance's peacekeeping operations in the Balkans and its critical training mission in Iraq.

In July of 2005, he became the top uniformed leader in the Navy as the 28th Chief of Naval Operations. With the Nation fighting two wars, he oversaw the service's efforts to man, train, and equip our Navy to fulfill its traditional missions at sea. Facing innovative and nontraditional enemies, Admiral Mullen conceived and championed the Navy's vital contribution to the fight on the ground in Iraq and Afghanistan.

Dedicated to keeping the sea lanes free, deterring aggression, and maintaining our Nation's maritime superiority, he also led efforts to stabilize the Navy's shipbuilding program to support a 313-ship fleet.

On October 1, 2007, Admiral Mullen assumed duties as the 17th Chairman of the Joint Chiefs of Staff. Facing a myriad of challenges, and with ongoing conflicts in both Iraq and Afghanistan, he worked tirelessly with our Nation's leadership to oversee multiple, sustained joint military operations. Admiral Mullen's efforts played a vital role in disrupting terrorist networks, providing humanitarian assistance at home and abroad, and improving the security and stability in Iraq.

Recognizing the danger of an Allied failure in Afghanistan, he became an early and vocal proponent of resourcing the war by expanding counterinsurgency capabilities and fostering closer ties with strategically vital Pakistan.

Never forgetting that those who return from war often continue to bear scars—both seen and unseen—Admiral Mullen and his wife Deborah passionately represented the interests of the

men and women returning from the battlefield. He initiated an unprecedented nationwide dialogue to advance awareness and support for the many issues facing our warriors, veterans, and their families.

Many have recognized Admiral Mullen's dedication to service with a wide range of awards and decorations. But I know first hand that his truest reward is the satisfaction he must feel for a lifetime of service to a country he so deeply loves. Admiral Mullen's commitment to the Americans who have given so much will endure well beyond his days in uniform.

I will add that Admiral Mullen's legacy will continue in another way after retirement. He and Deborah continue to proudly support their sons, John and Michael, as they pursue their own uniformed service in support of the world's greatest Navy.

The U.S. Navy and our military will never forget the service of Mike Mullen, one of its most respected and valued leaders, who took the helm during a dynamic and uncertain time in our Nation's history. And none of us will ever forget how he led—with humility, a selfless devotion to others, and integrity.

Please join me in recognizing and commending ADM Mike Mullen for a lifetime of service to his country and to wish him the best in his retirement. May God bless Mike and Deborah, and their family, for all they have given and continue to give our country. We remain in their debt.

TRIBUTE TO BILL ENGEMAN

Mr. PORTMAN. Mr. President, I rise today to recognize Cincinnati resident Bill Engeman, who has made countless contributions to the sport of rowing over the past 30 years. Bill will be leaving Cincinnati later this year for Lancaster, OH, and I would like to thank Bill for his years of selfless efforts to encourage the sport of rowing.

Since the early 1980s, Bill has been a leader in advancing rowing in southwest Ohio. In the fall of 1981, Bill helped found the University of Cincinnati Rowing Team. Bill also has helped develop many rowing programs and build many boathouses at East Fork State Park and along the Ohio River. He also worked to bring the Men's and Women's National Collegiate championship to the region multiple times in the 1980s and 1990s. Bill was inducted into the National Rowing Hall of Fame in 1998.

In 2008, I had the opportunity to work with Bill to construct the Matt Maupin Memorial Pavilion at East Fork State Park, named in honor of a local high school rower and brave soldier who was killed in the line of duty in Iraq. Over the last 3 years Bill has worked to help rebuild the national rowing program in Iraq and assist in its journey to qualify young athletes for the London Olympics in 2012. This latest project is having a global impact and illustrates his commitment to rowing and the youth of the world.

Bill Engeman has given tremendously to the Cincinnati area and the sport of rowing over the years, and thousands of area residents have benefited from his legacy. Bill will be honored for his efforts on Tuesday, September 27, 2011. I would like to join with his many friends in congratulating Bill and thanking him for all he has done. While he may be moving to another city, he will always be considered the father of rowing in Cincinnati.

REMEMBERING HENRY SMITH, JR.

Ms. LANDRIEU. Mr. President, I rise today to ask my colleagues to join me in honoring the life of Mr. Henry Smith, Jr. The people of Louisiana lost a giant of a man when Henry A. ''Buster'' Smith, Jr. passed away on Friday, September 9, 2011, at age 82 after a lengthy illness.

Born in St. Charles Parish and raised in an area outside of New Orleans known as the River Parishes, Mr. Henry, as we affectionately knew him, was a confident and self-made man who had an optimistic outlook on life that would lift you when you were in his presence. He, and others like him, helped build this Nation.

Mr. Henry was a product of the River Parishes whose people draw their strength and sustenance from the Mississippi River, and whose ingenuity and hard work built the incredible industrial complex along the river that fuels so much of our Nation's energy and commerce. He was the guiding force in the development of what became the Magnolia Companies, a multicompany conglomerate in the fields of construction, housing, material sales, real estate, finance, disaster recovery and consulting. He traveled the world in order to help people recover from disasters on six continents, but always returned home to Louisiana and his beloved River Parishes. Mr. Henry assisted with securing the futures for hundreds of families by creating opportunities for meaningful and rewarding work for them to pursue.

Mr. Henry was a champion for his community and the surrounding region. He supported numerous charities, churches and schools in and around the New Orleans area, including the Ursuline Academy, Sacred Heart Catholic Church, First Baptist Church of Norco, and the Mahalia Jackson Early Childhood Development Center. He was a leader who was sincere and steadfast in his drive to help others. He truly believed in the spirit and generosity of mankind and thought that everyone deserved a chance.

He was very passionate about politics and immersed himself in supporting candidates for local, State, and Federal office. I was fortunate enough to have Mr. Henry's support and counsel through my years in politics. Even though Mr. Henry was opinionated, he always said that no matter what, there were two sides to every story. He was a Democrat but was always more interested in the merits of a debate rather than partisanship. He believed most of all in moving his community, State, and Nation in a positive direction. We could certainly use more people like Mr. Henry.

Above all else, Mr. Henry was devoted to his family his sons, Glen and his wife Marilyn and Gary and his wife Pam, along with his grandchildren, Representative Gary Smith, Jr. and his wife Katherine, Rebecca Smith Tassin and her husband Justin, and Madison Elizabeth Smith-just as they were to him and each other. The Smith family is one of the most loving families I have ever known. Mr. Henry worked joyfully with his two sons Glen and Gary every day for more than 40 years. Never have I seen two sons more devoted to their father.

Today I ask my colleagues to join me along with Mr. Henry's family in honoring and celebrating the life of this most extraordinary son of Louisiana.

ADDITIONAL STATEMENTS

TRIBUTE TO DAN FLOWERS

• Mr. BOOZMAN. Mr. President, today I wish to recognize the life and career of Dan Flowers, who is retiring as director of the Arkansas Highway and Transportation Department after a lifetime of service and dedication to the State.

Dan Flowers began his career with the Arkansas Highway and Transportation Department more than 40 years ago after spending his summers in college as an employee in the departments Resident Engineer Office in his hometown of Batesville. He held this position for 4 years until he graduated in 1969 from the University of Arkansas at Fayetteville with a bachelor of science degree in civil engineering. Enjoying his time with the department, Dan went on to complete the engineering orientation program and was assigned as a planning engineer in the Planning & Research Division. He has worked in a total of eight other engineering and management positions within the Department before being promoted to director in 1994.

Dan Flowers has had many achievements during his career as the director, and in announcing his retirement to his staff he was quick to point out the collaborative effort ''we plan, we build, we maintain, and we manage—but the key word in all of that is WE.''

Perhaps one of Dan's greatest accomplishments was the 1999 interstate repair program and one that he says was the most interesting. The 5-year, $1 billion repair program overhauled the Arkansas interstate system which included 54 projects and more than 350 miles of interstate. Dan has truly helped make Arkansas roads safer and his work has touched countless lives.

Not only was he active in transportation on a regional level but also

highly active on a national level. As a new member on the House Transportation and Infrastructure Committee I quickly learned how well respected Dan was not only in Arkansas but across the country as witnesses would tell me of their appreciation for his work. He has served on numerous organizations from president of the Southeastern Association of State Highway & Transportation Officials and the American Association of State Highway and Transportation to chairman of the American Associations Special Committee on International Activities Coordination, and prior to being president Dan served as chairman of the Associations Subcommittee on Design, Standing Committee on Highways, and as the associations vice-president.

Dan has also earned many accolades for his work. In 2001, the Arkansas Chapter of the Associated General Contractors presented Flowers with its most prestigious award, the Skill, Integrity, and Responsibility Award, SIR, for his outstanding contributions to the industry, and in 2004 the University of Arkansas Department of Civil Engineering dedicated the Dan Flowers Education and Training Facility.

Dan has displayed dedication, perseverance, and commitment to excellence. I appreciate his friendship and am grateful for his years of service and efforts devoted to the State of Arkansas.●

REMEMBERING JACKIE LEE HOUSTON

● Mrs. BOXER. Mr. President, I ask my colleagues to join me in reflecting on the life, accomplishments, and service of the late Jackie Lee Houston—a prominent businesswoman and philanthropist in the Coachella Valley. She passed away on September 14, 2011.

Jackie Lee Houston was born and raised in Seattle, WA. She began modeling as a pre-teen and continued to do so through graduation from the University of Washington, from which she earned a degree in economics and fashion design in 1956. Her modeling led to a television career as Seattle's first female weathercaster, as well as hostess of the ''Hoffmann Easy Vision Talent Show.'' For a brief period, she pursued a professional career in Los Angeles as a model for Oscar-winning fashion designer Edith Head; but eventually she returned to Seattle to marry her college sweetheart, James Houston.

In 2005, Jackie and James purchased CBS affiliate KPSP located in Thousand Palms—at the time, Jackie was one of only two women in the United States who owned a television station. Through public service announcements and profiles, they utilized their community-focused station to promote causes across the Coachella Valley—from helping the homeless to supporting food banks to AIDS research.

A passionate philanthropist, Mrs. Houston quietly helped struggling individuals and her efforts benefitted a wide array of organizations, projects, and endeavors—including Angel View Crippled Children's Foundation, Palm Springs Stroke Recovery Center, Desert AIDS Project, Palm Springs International Film Festival, Palm Springs Art Museum, McCallum Theatre, Fashion Week El Paseo, and December Festival of Lights parade. She also gave unstintingly of her creativity and time—using her Rolodex and her home to groom a new generation of philanthropists and to organize distinctive red-carpet events that raised millions for charity.

In recognition of Mrs. Houston's profound influence on the Coachella Valley and the inspirational legacy she leaves for the community, the city of Palm Springs will name the new main entry plaza of the Palm Springs Convention Center in her honor.

On a more personal note, it was an honor for me to have known Jackie. She and her husband founded an extraordinary food bank called FIND, which is run by Jackie's daughter-in-law, Lisa Houston. I was honored to visit FIND with Jackie and Jim at FIND's original Cathedral City location in 2009 and again in 2010 at its new home in Indio. I saw her great pride in this particular project which helps so many survive, particularly in this tough economy.

I extend my heartfelt condolences to the family and friends of Mrs. Houston. She will be sorely missed by so many, including me.●

TRIBUTE TO MARGARET NACHTIGALL

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize and honor the service of Mrs. Margaret Edna Nachtigall upon her retirement as executive director of the South Dakota Stockgrowers Association.

Margaret was born on May 18, 1937, to parents Leslie and Edna Coates, in Edgemont, SD. She grew up and spent her childhood on the family ranch near Burdock, SD, which instilled in her a strong work ethic and a love of animals, especially horses and cattle. This love for animals blossomed into volunteer work with community agricultural education and outreach through the 4–H program. She could often be found showing her calves and lambs at the Fall River County Fair in Edgemont and the Western Junior Livestock Show in Rapid City. Her love for horses eventually led her to compete in barrel racing and break-away roping. In 1955, she even ended up fifth in break-away roping at the National High School Finals.

Margaret's insatiable drive for learning, combined with her love of animals, eventually led her into the world of cattle breeding and the role that nutrition plays in reproduction. By the time she began her work for the American Breeder Service her business had grown to the point that she was booked solid during breeding season. That work ethic and passion extends into everything Margaret does.

Margaret's service to the South Dakota Stockgrowers Association spans many years and has had a significant impact on the association and its members. I have always valued Margaret's insight and input on a number of issues impacting agriculture. She has offered a very important voice on behalf of South Dakota Stockgrowers and agriculture producers over the years and her knowledge, expertise and advice have helped guide me and my staff when it comes to general agriculture, farm and ranch, and trade policy. Her work helped us to finally get a country-of-origin labeling law in place in the 2008 farm bill and she helped to lay the groundwork for the livestock competition rule currently pending with USDA's Grain Inspection, Packers, and Stockyards Administration, GIPSA.

In addition to the valuable input and guidance she has given me over the years, she also served as an effective and well-liked leader of the Stockgrowers Association. As just one testament to Margaret's leadership, Larry Nelson, past president of the organization, has this to say about her: ''Margaret has been an asset to the South Dakota Stockgrowers Association as our Executive Director. Her strong work ethic and her commitment to the independent, family-owned ranches of South Dakota have shown through her work. I am grateful for her dedication to advancing the policies of the South Dakota Stockgrowers Association and her work to promote our livestock industry.''

Margaret's life work on issues that concern cattle producers and their operations has been done because of an intense love for the ranching industry. It is because of the work of people like Margaret that the cattle and ranching industry continues to thrive and maintain its crucial role throughout South Dakota. I am proud to recognize and honor Margaret's retirement from the South Dakota Stockgrowers Association, and am delighted to join with her family and friends in congratulating her on this occasion.●

REMEMBERING VICTOR BUSSIE

● Ms. LANDRIEU. Mr. President, I come before you today to celebrate the life and contributions of one of Louisiana's favorite sons. This week the citizens of Louisiana are remembering the monumental life of Mr. Victor Bussie. Mr. Bussie passed away Sunday, September 4, 2011, at the age of 92. He was laid to rest in Baton Rouge, LA last Friday. Mr. Bussie was buried not far from our State Capitol, where he fought tirelessly for more 50 years to strengthen and uphold the rights of working men and women in Louisiana and across the Nation.

A hero to thousands, the scourge of some, and ally for many; Mr. Bussie spent a lifetime fighting side-by-side with like-minded men and women. He

was motivated by a sense of justice and a desire to secure worker protections and the fundamental civil rights that many of us take for granted. During his 41 years at the helm of the Louisiana AFL–CIO Mr. Bussie saw the evolution of not just workers rights but our country's constant struggle for fundamental civil rights. From 1956–1997 Mr. Bussie worked to secure civil rights, equal rights for minorities and women, a fair minimum wage, adequate workplace safety, defined pension plans, and numerous other fair labor laws for the people of Louisiana.

Mr. Bussie kept his sharp and analytical mind to the very end. He passed with his beloved wife Fran at his side.

When I began my political career as a State legislator almost 33 years ago, Mr. Bussie was a fixture at the Louisiana Legislature. He spent tireless hours effectively advocating on behalf of the hundreds of thousands of men and women he represented. I remember him as fearless and resolute in his belief in civil rights and fair treatment for all. He refused to back down even after his house was bombed by a member of the Ku Klux Klan in 1967. In 2010, I attended a dinner honoring the lifetime achievements of Mr. Bussie and was in awe of his accomplishments. Mr. Bussie was a strong willed and tenacious advocate for what he believed in but he consistently treated everyone with dignity and respect.

Mr. Bussie was born in Natchitoches Parish, home of the oldest permanent settlement in the Louisiana Purchase. His family later moved to Boyce in the central part of Louisiana near Alexandria. He served in the Navy during WWII and later worked as a hose man with the Shreveport Fire Department. Many times over the years he described to me how much he had loved being a firefighter and how much he loved the camaraderie among the men in his unit.

It was because of his sense of fairness, sharp intellect and demeanor that he was approached by his fellow firefighters to represent their interests. In 1956, he was elected president of the Louisiana AFL–CIO. He remained president until his retirement in 1997. Throughout his career Mr. Bussie acted with dignity and garnered the respect of even from those who opposed his position.

Mr. Bussie was a giant in the State of Louisiana and an example of how passionate advocacy could and should be expressed with dignity and grace. Like countless other Louisianians, I am a better person for having known him. On behalf of the U.S. Senate, I wish to offer my condolences to his wife Fran, the entire Bussie family, and all the members of the Louisiana AFL–CIO. Louisiana lost a true hero.●

TRIBUTE TO SUE COPINGA

● Mr. LEE. Mr. President, it is my pleasure today to offer my sincerest congratulations to an inspirational constituent of mine, Sue Copinga. Sue is the recipient of the 2011 LifePoint Hospitals companywide Mercy Award. LifePoint's Mercy Award recognizes individuals who follow in the footsteps of the company's founding chairman and CEO Scott Mercy, who passed away in 2000. Sue works at Castleview Hospital in Price, UT and is a patient advocate in the emergency room, while working part time as an emergency medical technician. Castleview Hospital serves residents of Carbon and Emery Counties. Like so many rural hospitals around the country, Castleview is the only hospital for miles around, making it a vital resource where citizens of Carbon and Emery Counties can get the medical care they need.

While Sue has a deep history of giving back to others through her job and in her personal life, she demonstrated her extraordinary dedication to caring for others during one of the worst mine disasters in Utah's history. On August 6, 2007, the Crandall Canyon Mine collapsed in the middle of the night, trapping six miners underground. Sue did not hesitate. Immediately after learning of the tragedy, Sue headed straight to the scene to provide whatever assistance was necessary. She spent the following days and nights at the site standing ready, eager and willing to treat the men we all hoped and prayed would be rescued. Then, on August 16, a second collapse brought the walls down around rescuers who were working tirelessly to free the trapped miners. The second collapse claimed the lives of three men and injured numerous others.

Sue provided emergency care to injured rescuers and miners, despite the dangerous conditions. She voluntarily went into the mine that day not only to help those who were injured, but also to spare fellow EMTs from being put in harm's way. Sue was worried about a coworker with six young children and told this fellow EMT to stay behind, noting that her own children are grown and raised.

Sue's commitment to caring for others is also what makes her invaluable as a patient advocate in the emergency room of Castleview Hospital, where she has worked for 14 years. During her days—and often long nights at Castleview—Sue touches countless lives, making a positive impact on each patient she encounters. Sue provides care and compassion to her patients at a time when they need it most, and has come to be known affectionately as ''Grandma Sue'' for the way she soothes children, the most vulnerable of her ER patients—children.

Sue's devotion to helping others is not confined to the hospital's walls. She also serves part time as an EMT where she provides patients emergency care and transport in critical situations. When Sue isn't caring for patients in the emergency room or ambulance, she is educating future generations of EMTs. For fifteen years, Sue has given back to her community by teaching countless people how to save others' lives in times of crisis.

Sue lives in Elmo, one of Utah's smallest towns. She is the proud mother of 5 children, including a Navajo foster daughter, and has 19 grandchildren. Sue also plays a role in supporting the children of her larger community by leading church youth groups and chairing an annual ''community day'' in her town.

It gives me great pleasure to know that Sue's caring, selflessness, and devotion to her community is being recognized through the LifePoint Hospitals Mercy Award.●

TRIBUTE TO MRS. SARAH J. GREENLEE

● Ms. MURKOWSKI. Mr. President, I speak today in honor of Mrs. Sarah J. Greenlee, who this week accepted the 2011 Joan Orr Air Force Spouse of the Year award. Sarah was selected from thousands of nominees worldwide who selflessly support their loved ones in uniform. I am pleased to note that Sarah earned this honor while serving in the great State of Alaska at Joint Base Elmendorf-Richardson. Sarah and her husband, LTC Paul Greenlee, have recently been transferred to Joint Base Pearl Harbor-Hickam, but Sarah has left an indelible mark on the Anchorage area through her volunteer work and leadership in the community.

Sarah was born into a military family and traveled extensively in the United States and Europe before graduating from Clark High School in San Antonio. She attended Southwest Texas State University, where she earned a bachelor's degree in psychology, and later the University of Texas-Arlington, where she achieved a master's degree in social work. Sarah subsequently entered the Air Force through the Commissioned Officer Training Program as a social worker. After 4 years of service, Sarah left the Air Force to become a full time wife and mother. Sarah and Paul are proud parents of Andrew, Rachel, and Zoe.

There is a saying in the military that ''home is where the service takes you,'' and for the Greenlees home has been Mississippi, Washington, Illinois, Alaska, and now Hawaii. While we ask much of our men and women in uniform, we recognize it is the entire family who serves. With every move, families say goodbye to dear friends, kids start school in new places, and the clock starts ticking again toward the next transition. Despite enduring these frequent moves, military spouses quickly become leaders on base and in the local community. Sarah Greenlee is a fitting case in point.

Sarah took several actions worth noting. We had two tragic aircraft accidents last year in Alaska where we lost the crews of a C–17 and an F–22 within a matter of months. In the aftermath, Sarah jumped in with support and comfort, providing food and offering encouragement to leaders and personnel

from the affected units. She opened her home to children of commanders working on the recovery effort, relieving them to focus on obligations to their units.

Sarah's impact in the local community was no less remarkable. She was active in the Mount Spurr Elementary School PTA and Anchorage Faith and Family Church. Pastors Brant and Tamara Barker, founders of the church, have travelled from Alaska to Washington to celebrate Sarah's significant accomplishment.

Those who know Sarah best say she is a source of encouragement for all she meets. Her listening ears, compassionate words, and acts of kindness bring others support and hope.

The Air Force Spouse of the Year award is named after the late Joan Orr, wife of former Secretary of the Air Force Verne Orr. Mrs. Orr was a rare, inspirational leader who would accompany her husband on visits to bases, meeting with families and visiting community support facilities. During the Christmas holiday, the Orrs traveled to remote bases in my home State of Alaska to visit servicemembers who were separated from their families. Mrs. Orr had a passion for teaching dance. Even as she struggled with the debilitating effects of Lou Gehrig's disease, she never cancelled a dance class. From a wheelchair and using a writing slate when her voice failed, she taught up to 2 weeks before her death. Sarah, like Joan, realized she had something to give and the willingness in her heart to give it.

I offer warm congratulations to Sarah on her selection as the 2011 Air Force Spouse of the Year and wish her and her family a bright future.●

TRIBUTE TO PHILIP RUSH HALEY

● Mr.VITTER. Mr. President, today I honor an American patriot and a constituent of mine, Philip Rush Haley of Denham Springs, LA. Phil grew up in Baton Rouge, LA and enlisted in the U.S. Marine Corp in 1939 at age 18.

While stationed in Manila, Philippine Islands, Mr. Haley served as a guard outside the office of Admiral Hart, Commander in Chief of the Asiatic Fleet. After Admiral Hart left the Philippines, Mr. Haley relocated to Corregidor and was placed under the command of LTG Jonathan Wainwright. The American forces surrendered to the Japanese in 1942, and it was at this time Mr. Haley became a prisoner of war.

The State Times in Baton Rouge wrote an article entitled ''Local Marine Declared Missing in Action.'' Most in his family thought Phil Haley was dead, but his mother maintained that Phil's strength and resilience would keep him alive. Nearly 1 year later, the Haley family received word that Phil was indeed alive at Mukden, a Japanese POW camp located in Manchuria, China.

Phil would be in the camp for 3½ years before the war ended and he was liberated by the Russians. His positive attitude and perseverance, as his mother predicted, did indeed keep him alive.

Phil is still persevering. He understands the importance of service, and the Marine motto always faithful. Many consider him to be a patriarch and a well-respected leader in his church. He is constantly serving others in his community through his active involvement in First Baptist Church of Denham Springs. Phil is an ordained deacon, a member of the building committee, and a member of the ''Helping Hands'' team.

On this special day we will all look back and see the hallmarks of a life well lived. His quiet determination, unfailing kindness, and unyielding spirit have made him a pillar not only of a proud and loving family, but to all who have come to know him. Beneath a humble exterior lies a generous and kind soul. He is beloved not for a litany of accomplishments, but simply for who he is.

Tom Brokaw, in his book ''The Greatest Generation,'' notes that their sacrifices made possible the many comforts and conveniences we enjoy today. It is my honor to pay tribute to this great American. He, like so many today, went into harm's way and sacrificed so much so that we can experience our liberties today. I am humbled to have the opportunity to express my appreciation for Mr. Philip Rush Haley's service to our country, and wish him all the best in years to come.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3304. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Editorial Correction to the Export Administration Regulations'' (RIN0694–AE90) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3305. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Model A109A and A109AH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–0861)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3306. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company (GE) CF6–45 Series and CF6–50 Series Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0998)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3307. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Truck Safety Standards; Concrete Crossties'' (RIN2130–AC35) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3308. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Procedures for Protests and Contract Disputes'' ((RIN2120–AJ82) (Docket No. FAA–2010–0840)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3309. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Model A109A, A109A II, A109C, and A109K2 Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–0823)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3310. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Area Navigation Route Q–37; Texas'' ((RIN2120–AA66) (Docket No. FAA–2009–0867)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3311. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Hawaiian Islands, HI'' ((RIN2120–AA66) (Docket No. FAA–2011–0754)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3312. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Copperhill, TN'' ((RIN2120–AA66) (Docket No. FAA–2011–0402)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–3313. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Forest, VA'' ((RIN2120–AA66) (Docket No. FAA–2011–0378)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BAUCUS for the Committee on Finance.

*Janice Eberly, of Illinois, to be an Assistant Secretary of the Treasury.

*Maurice B. Foley, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years.

*Juan F. Vasquez, of Texas, to be a Judge of the United States Tax Court for a term of fifteen years.

*Joseph H. Gale, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. BROWN of Massachusetts:

S. 1579. A bill to amend title 37, United States Code, to provide that the basic allowance for housing in effect for a member of the National Guard is not reduced when the member transitions between active duty and full-time National Guard duty without a break in active service; to the Committee on Armed Services.

By Mr. HATCH (for himself and Mr. LEE):

S. 1580. A bill to direct the Secretary of the Interior to extend an exemption from certain requirements of the Endangered Species Act of 1973 to protect public health and safety; to the Committee on Environment and Public Works.

By Mrs. MCCASKILL:

S. 1581. A bill to improve the importer of record program and the collection of fees and duties in connection with the importation of merchandise into the United States, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. KIRK, and Mrs. BOXER):

S. 1582. A bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes; to the Committee on Environment and Public Works.

By Mr. INHOFE (for himself, Mr. BLUNT, and Mr. CHAMBLISS):

S. 1583. A bill to amend the Internal Revenue Code of 1986 to provide a tax deduction for the purchase, construction, and installation of a safe room or storm shelter, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 1584. A bill to provide for additional quality control of drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself, Mr. LAUTENBERG, Mr. KERRY, Mrs. MURRAY, Mr. BROWN of Ohio, Mrs. FEINSTEIN, Mr. DURBIN, Mr. SANDERS, Mr. BEGICH, Mr. CARDIN, Mr. MERKLEY, Mr. UDALL of Colorado, Mr. AKAKA, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Mrs. SHAHEEN):

S. 1585. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PRYOR (for himself, Mr. BOOZMAN, and Mr. DURBIN):

S. Res. 272. A resolution designating November 1, 2011, as ''National Jobs Day''; to the Committee on the Judiciary.

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

S. Res. 273. A resolution congratulating the Nunaka Valley Little League junior girls softball team on their performance in the Junior League Softball World Series; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 102

At the request of Mr. MCCAIN, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 102, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 170

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 170, a bill to provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 366

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 366, a bill to require disclosure to the Securities and Exchange Commission of certain sanctionable activities, and for other purposes.

S. 409

At the request of Mr. SCHUMER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 409, a bill to ban the sale of certain synthetic drugs.

S. 466

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 466, a bill to provide for the restoration of legal rights for claimants under Holocaust-era insurance policies.

S. 534

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 570

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 633

At the request of Ms. SNOWE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 633, a bill to prevent fraud in small business contracting, and for other purposes.

S. 740

At the request of Mr. REED, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 965

At the request of Mrs. GILLIBRAND, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 965, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Colorado (Mr. UDALL), the Senator from Virginia (Mr. WARNER), the Senator from Delaware (Mr. CARPER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1167

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1167, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in person, and for other purposes.

S. 1324

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1324, a bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes.

S. 1392

At the request of Ms. COLLINS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor

of S. 1392, a bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

S. 1461

At the request of Mr. NELSON of Florida, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1461, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 1507

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Wyoming (Mr. BARRASSO), and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1507, a bill to provide protections from workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1508

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1508, a bill to extend loan limits for programs of the Federal Housing Administration, the government-sponsored enterprises, and the Department of Veterans Affairs, and for other purposes.

S. 1514

At the request of Mr. TESTER, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 1514, a bill to authorize the President to award a gold medal on behalf of the Congress to Elouise Pepion Cobell, in recognition of her outstanding and enduring contributions to American Indians, Alaska Natives, and the Nation through her tireless pursuit of justice.

S. 1527

At the request of Mrs. HAGAN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1527, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1539

At the request of Mr. CORNYN, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. DEMINT), and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1539, a bill to provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China.

S. 1556

At the request of Mr. VITTER, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1556, a bill to require an accounting for financial support made to promote the production or use of renewable energy, and for other purposes.

AMENDMENT NO. 626

At the request of Mr. COBURN, his name was added as a cosponsor of amendment No. 626 proposed to H.R. 2832, a bill to extend the Generalized System of Preferences, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LAUTENBERG (for himself, Mr. KIRK, and Mrs. BOXER):

S. 1582. A bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes; to the Committee on Environment and Public Works.

Mr. KIRK. Mr. President, today I am pleased to join with Senator FRANK LAUTENBERG to introduce the Clean Coastal Environment and Public Health Act of 2011 to help protect the millions of Americans who utilize public beaches each day.

Unfortunately, every year many beaches go unmonitored or face severe delays in receiving test results of levels of contamination in coastal waters. Without proper monitoring and notification, thousands of citizens risk illness due to growing contamination of our coastal waters. Beach closings are a far too regular occurrence along the 52 public Lake Michigan beaches in my home State of Illinois. According to the Illinois Department of Public Health, there were 579 beach closures or contamination advisories last year, an 8 percent increase from 2008. Beach closures greatly affect the health of our children and families—a recent University of Chicago study showed swim bans at Chicago's beaches due to E. coli levels cost the local economy $2.4 million in lost revenue every year. This bipartisan legislation requires rapid testing methods to detect water contamination in 4 hours or less, faster notification and decision about closures and advisories within 2 hours. These measures can help save millions of Americans from hospital bills or unnecessary beach closings.

But we must not ignore the more dangerous toxin which has far reaching consequences for the most vulnerable members our society—our children. Mercury pollution is a serious problem nationwide and is particularly concerning since large amounts can accumulate in fish tissue. Mercury levels in the Great Lakes, particularly in Lake Michigan, are poorly understood. Moving forward, it is critical that we revise the outdated monitoring and testing of this dangerous toxin. This bill also requires the Administrator of the Environmental Protection Agency to update existing monitoring protocols and develop updated testing recommendations for the existence of mercury in Great Lakes coastal waters, sediment and fish.

Protecting the Great Lakes and our coastal waters is one of my top priorities in Congress. I am proud to be the lead cosponsor of this important legislation that addresses a key problem facing our Great Lakes beaches. I urge my colleagues to support this bill to help safeguard our future generations and our most precious natural resource.

By Mr. INHOFE (for himself, Mr. BLUNT, and Mr. CHAMBLISS)

S. 1583. A bill to amend the Internal Revenue Code of 1986 to provide a tax deduction for the purchase, construction, and installation of a safe room or storm shelter, and for other purposes; to the Committee on Finance.

Mr. INHOFE. Mr. President, being from Oklahoma, I can remember back in the days when they called Oklahoma, southern Kansas, northern Texas, and southwestern Missouri tornado alley. I say to my good friend from Oregon that I have been in aviation for many years. I know people who won't even fly airplanes through what we call tornado alley. But by now I think we know that tornadoes are a daily threat to Americans each spring as severe weather rolls across the country. In the past 30 years, over 34,000 tornadoes have touched down somewhere in the country, which means that one touches down, on average, every 8 hours of each day. This chart right here shows that each one of these little green dots represents a tornado.

As we all witnessed once again this spring, many of these tornadoes grow into very voracious and dangerous storms that bring significant harm to property and life. This year, 57 such tornadoes struck 14 States and claimed 550 lives. Alabama was the hardest hit. I can remember when Oklahoma was ranked as the hardest hit. They had over 240 killed. Missouri also suffered heavily with the loss of 157 people in Joplin. I say to my friend from Missouri, who is on the floor, I was up in Joplin right after that happened, down close to the Oklahoma border. It is something you have to witness before you understand it. In my State of Oklahoma where we have more than our fair share of violent tornadoes, this spring's storms resulted in the death of 14 people and the injury of many others. Until you have this happen, and you go on site, which I always make it a point to do—after each tornado in Oklahoma, you go down and talk to the people. You think of little kids looking for their toys and this type of thing, but they are gone and gone for good.

While this year has seen a large number of fatal tornadoes, they are a nationwide threat each spring. Since 1980, 734 tornadoes have claimed 2,462 lives in at least 37 different States, including 126 in my State of Oklahoma. Unfortunately, many of these lost lives

could have been avoided had storm shelters been more widely used.

In the past few months, a number of Oklahomans have asked me if there is a Federal program that promotes the installation of tornado storm shelters. They observed that those individuals who have these storm shelters live through it. They may lose their property, but they live through it. So they think, Well, government gets involved in all of these programs; what are they going to do to help us encourage people to build storm shelters? When I looked into it, I came up emptyhanded despite the fact that hundreds of millions of dollars are obligated each year to mitigate the effects of natural disasters.

Since death is one of the worst effects of natural disasters, one would think tornado storm shelters, which are the safest way to ride out tornadoes, would be a high priority, but only limited funds have been made available in the past, and it has been sporadic and poorly allocated. Most of the funds have been made available through FEMA's Hazardous Mitigation Grant Program, which is a mandatory program that allocates funds to States to help them better prepare for future disasters. States are able to direct some of this money to residential storm shelter construction, but to do this they have to go through a lot of hoops—through a lengthy process of coordinating a program with FEMA. Needless to say, it is a bureaucratic nightmare and hugely expensive.

Oklahoma did this after the devastating tornadoes of May 3, 1999. Fifty people died and many others were injured that day. As the recovery effort took hold, it became clear to public leaders that staggeringly few Oklahomans had storm shelters accessible for their homes. Because of this, Oklahoma's Department of Emergency Management worked with FEMA to create a temporary rebate program to encourage individuals to install storm shelters in their homes. The rebate was worth $2,000, and the funding cap was set at $6 million.

Unfortunately, the program didn't perform as well as they would have liked. It was a popular program and funding depleted quickly. But because of the rebate amount, only 3,000 homeowners were able to take advantage of the program, despite its $6 million funding level. We are talking about in the State of Oklahoma.

Furthermore, because this program was run through FEMA, it had a lot of paperwork requirements and was time consuming for the State to actually formalize. The ultimate decision of who received the rebate rested with FEMA and the Oklahoma Department of Emergency Management and they decided who received the rebate and who did not. If you ask me, that is a pretty expensive, poorly designed program, but that is generally the way FEMA structures these programs when States go to the trouble of requesting them. All told, FEMA's sporadic Hazard Mitigation Grant Program for residential storm shelters has supported the construction of only 15,000 storm shelters at a staggering cost of $35 million. That is $2,000 for each storm shelter.

A different approach is needed to encourage a wider group of people to install tornado storm shelters. This would help mitigate the loss of life during tornadoes. To give people the opportunity—I have 20 kids and grandkids. My first concern every time I hear of a tornado coming is for them. That is why we have introduced this bill called the Storm Shelter Tax Relief Act. It provides a tax deduction of up to $2,500 to any individual who installs a qualified storm shelter. The cost of this deduction is fully offset, which I will explain in a minute, where it is coming from, and there are reductions in other areas of spending.

First, the deduction can be claimed by any taxpayer. If someone in Oklahoma, Kentucky, or Tennessee decides they need a storm shelter at their house, they can pay to have one installed and then claim the incentive by deducting up to $2,500 from their income when they file their taxes. Claiming this incentive would not require dealing with a big bureaucracy. One doesn't have to fill out the forms. One does not have to go through all the redtape. That is one of the reasons people don't do it under the existing programs. As I said before, previous programs that have been administered through FEMA place the power of the shelter incentive into the hands of an agency and not a family, not individuals. The agency then decides who does and does not receive the incentive. I think it is best when this middleman can be avoided, and a tax deduction does that. The Tax Code is blind and provides the incentive to anyone who decides in their best judgment that they need a storm shelter.

Lastly, and probably most importantly, the tax deduction is a better allocation of scarce taxpayer resources. A rebate that covers a large portion of a shelter's cost, as the Oklahoma program did, can foster moral hazard. What I mean is that when free money is on the table, people generally take it. In this case, people may take the rebate to buy a storm shelter because it is free, not because it is what they need. A tax deduction doesn't allow this because the actual incentive is much lower in value. No one is going to go out and spend $2,000 or more on a storm shelter because they get to write that amount off of their taxable income. Nobody does that. A rational individual would only go out to buy a shelter if they know they need one and then it has the added benefit of being deducted from their income, so it is a much better way of approaching it. On the aggregate level, this allows a lot more people to get the incentive at the same cost compared to the rebate programs that have been used in the past. A tax deduction provides a nudge to taxpayers to take practical steps to stay safe in areas where tornadoes are common. It is a commonsense approach and a better way to use taxpayer resources.

Further, this proposal's $41 million cost is fully paid for by rescinding funds authorized for storm shelter construction grants through the programs administered through HUD. In other words, we are doing this program and providing countless more shelters at a cost that would merely mean a tax deduction, and it is going to have a lot more people participating in the program. This means that existing unspent HUD funds that are duplicative of other FEMA spending will be redirected to a more effective policy in order to accomplish the same goal: Encourage the installation of more storm shelters to save lives from deadly tornadoes.

Many may wonder why this is something the Federal Government should be doing. In reality, this falls squarely within the purpose of the hazard mitigation priorities of the Federal Government. FEMA defines hazardous mitigation as ''any sustained action taken to reduce or eliminate long-term risk to life and property from a hazard event.'' HMGP regulations state that projects ''retrofitting structures . . . to minimize damages from high winds, earthquake, flood, wildfire, or other natural hazards'' are eligible for the expenditure of program dollars. The main goal of all this spending is to reduce the likelihood of losses of life and property, and retrofitting buildings to lesson the likelihood of damage caused by tornadoes is an eligible expense. That is what this tax deduction does.

Furthermore, the threat of deadly and dangerous tornadoes stretches far across the Nation. We saw the first map, but this map shows it is not just the tornado alley I referred to right here. With the exception of mountainous areas here, the danger zone is all across America. Not surprisingly, Oklahoma is right in the center. When we look at where deadly tornadoes have occurred during the past 30 years, it is spread across the entire eastern half of the country. All the States in red have had at least one deadly tornado every other year since 1980, and most of them have had even more. This may be surprising, but the threat is real. It needs to be addressed. More tornado storm shelters need to be constructed around the country and Federal policies encouraging this need to be changed. That is why we are introducing the Storm Shelter Tax Relief Act. The number of this bill, I say to my colleagues, is S. 1583. It was introduced today. I think those of us who have lived in these tornado-prone areas—I can tell stories about tornadoes picking up a horse and replacing it, dropping it someplace. In my personal experience, my wife was after me about 50 years ago when we had a place up in the country—we still have the same place—and I had a red Jeep. That

red Jeep was one we had for a long time. She said, How come you don't have that insured? I said, What could happen to a red Jeep in the middle of the country in Oklahoma? Well, a tornado came along, picked up a tree and dropped it right on top of my red Jeep. It cut it in half. So they are totally unpredictable.

I can tell more stories about Moore, OK, when we had our 1999 tornado where everything was devastated on one side of the street and nothing was touched on the other side of the street.

It is an art to understanding where these are coming from. We now have developed that art. There is not a person who could be in the path of a tornado who doesn't have the facilities and the resources to see what is out there and where it is coming. What they don't have is a way, if it is unavoidable, to protect themselves if it hits them. The obvious answer is a storm shelter.

I appreciate the Senator from Missouri, who is going to speak next, cosponsoring this bill. We would like to have more cosponsors. We have every intention of getting this passed.

With that, I yield the floor.

The PRESIDING OFFICER pro tempore. The Senator from Missouri.

Mr. BLUNT. Mr. President, I am pleased to cosponsor the bill with Senator INHOFE. Between he and I, we may have been to the scenes of more tornadoes than almost anybody else in America who is not a storm chaser. Because of where we live and what we have done, we have had a chance to see the aftermath of many tornadoes. Unlike the floods we have dealt with in our State this year and the hurricanes we have dealt with in other States recently, the tornado is there and you don't get much warning, and that storm shelter needs to be close if you want a chance to get into it. The bill he has drafted and I am proud to cosponsor with him provides an opportunity to get that storm shelter nearby.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 272—DESIGNATING NOVEMBER 1, 2011, AS ''NATIONAL JOBS DAY''

Mr. PRYOR (for himself, Mr. BOOZMAN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 272

Whereas people in the United States want to work and contribute to the national economy;

Whereas the national unemployment rate in the United States remains stubbornly above 9 percent;

Whereas the Office of Management and Budget Fiscal Year 2012 Mid-Session Review of the Budget projects that the unemployment rate may stay above 8.3 percent in 2012;

Whereas almost half of unemployed people in the United States have been out of work for 6 months or more and more than 25,000,000 people in the United States are not able to find a full-time job;

Whereas throughout the history of the United States, in times of crisis, the private sector has come together and helped lead the United States forward;

Whereas the private sector can lead the economic recovery by hiring workers from the United States;

Whereas small and large businesses have the power to fuel growth and help bring the United States back to normal levels of employment;

Whereas uhireU.S. is a national initiative to rally the business community in the Untied States to come together in its own best interest to hire 1,000,000 workers by the end of 2011;

Whereas employing 1,000,000 more people will increase the demand for the goods and services that businesses need to sell, and increase positive sentiment toward businesses;

Whereas uhireU.S. is supported by many non-governmental organizations; and

Whereas it is important to designate a day for everyone throughout the United States to focus on overcoming the human and economic costs of high unemployment: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 1, 2011, as ''National Jobs Day'';

(2) encourages businesses, starting on November 1, 2011, to pledge to add not less than 1 unemployed worker for each 100 employees; and

(3) supports the goal of the uhireU.S. initiative to put new life into the economy by promoting a wave of business ingenuity that puts 1,000,000 individuals who are jobless back at work by the end of 2011.

SENATE RESOLUTION 273—CONGRATULATING THE NUNAKA VALLEY LITTLE LEAGUE JUNIOR GIRLS SOFTBALL TEAM ON THEIR PERFORMANCE IN THE JUNIOR LEAGUE SOFTBALL WORLD SERIES

Mr. BEGICH (for himself and Ms. MURKOWSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 273

Whereas the Nunaka Valley Little League junior girls softball team is comprised of young women from Anchorage, Alaska who play softball;

Whereas the Nunaka Valley Little League junior girls softball team compiled an impressive record in the 2011 regular season, outscoring opponents 428 to 83;

Whereas the Nunaka Valley Little League junior girls softball team was undefeated in the district and State tournaments on the way to winning the Alaska State Championship;

Whereas the Nunaka Valley Little League junior girls softball team was undefeated in 4 games and won the West Regional Tournament held in Marana, Arizona;

Whereas in August, 2011, the Nunaka Valley Little League junior girls softball team represented the West Region at the Junior League Softball World Series in Kirkland, Washington;

Whereas in 2011, Nunaka Valley Little League junior girls softball team manager Richard Knowles led the team to the Junior League Softball World Series for the second time in 3 years;

Whereas in 2011, the Nunaka Valley Little League junior girls softball team won 4 games and lost just 2 games en route to a third place finish in the Junior League Softball World Series;

Whereas more than 2,000 teams and 30,000 players compete in Junior League Girls Softball each year;

Whereas the Nunaka Valley Little League junior girls softball team finished the 2011 season ranked third in the world;

Whereas the hard work and dedication of the entire Nunaka Valley Little League junior girls softball team and the support of their families led the team to success in 2011;

Whereas Little League softball and baseball has provided a positive athletic experience and fostered teamwork and sportsmanship to millions of children in the United States and around the world; and

Whereas Alaskans everywhere are proud of the Nunaka Valley Little League junior girls athletes, Jacynne Augufa, Leilani Blair, Heather Breslin, Metanoya Fiame, Morgan Hill, Julia Merritt, Gabrielle Meyerson, Taria Page, Hannah Peterson, Sydney Smith, Lauren Syrup, and Nanea Tali, on the 2011 softball season: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the athletes, parents, and coaching staff of the Nunaka Valley Little League junior girls softball team on an impressive 2011 season; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the Nunaka Valley Little League President, Greg Davis; and

(B) the Nunaka Valley Little League junior girls softball team manager, Richard Knowles, and coaches Rick Peterson and Richard Hill.

AMENDMENTS SUBMITTED AND PROPOSED

SA 627. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table.

SA 628. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 629. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 630. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 631. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 632. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 633. Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra.

SA 634. Mr. CORNYN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 635. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109–416); which was ordered to lie on the table.

SA 636. Mr. CARDIN (for himself, Mr. SCHUMER, and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other

purposes; which was ordered to lie on the table.

SA 637. Mr. BINGAMAN (for himself, Mr. AKAKA, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 638. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 639. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 640. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 641. Mr. HATCH proposed an amendment to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, supra.

SA 642. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 643. Ms. CANTWELL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 2832, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 627. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 7 and 8, insert the following:

SEC. 231. EFFECTIVE DATE FOR TRADE ADJUSTMENT ASSISTANCE CONTINGENT ON ENACTMENT OF CERTAIN FREE TRADE AGREEMENT IMPLEMENTING BILLS.

Notwithstanding section 201(b) or any other provision of this subtitle, the amendments made by this subtitle shall take effect on the date on which the United States–Korea Free Trade Agreement Implementation Act, the United States–Colombia Trade Promotion Agreement Implementation Act, and the United States–Panama Trade Promotion Agreement Implementation Act have been enacted into law.

SA 628. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 6 and 7, insert the following:

SEC. 224. MODIFICATION OF TRADE ADJUSTMENT ASSISTANCE ELIGIBILITY REQUIREMENTS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272), as amended by section 211(a), is further amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(iii), by striking ''contributed importantly to such workers' separation or threat of separation and to'' and inserting ''was a substantial cause of such workers' separation or threat of separation and of''; and

(B) in subparagraph (B)(ii), by striking ''contributed importantly to'' and inserting ''was a substantial cause of'';

(2) in paragraph (3)(B) of subsection (b), as redesignated by section 211(a), by striking ''contributed importantly to'' and inserting ''was a substantial cause of''; and

(3) in subsection (c), as redesignated and amended by section 211(a), by striking paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(C), by striking ''contributed importantly to such total or partial separation, or threat thereof, and to'' and inserting ''were a substantial cause of such total or partial separation, or threat thereof, and of''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A);

(ii) by striking ''(B)''; and

(iii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left.

(c) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—

(1) IN GENERAL.—Section 292(c)(3) of the Trade Act of 1974 (19 U.S.C. 2401a(c)(3)) is amended by striking ''contributed importantly to'' and inserting ''was a substantial cause of''.

(2) CONFORMING AMENDMENT.—Section 291 of the Trade Act of 1974 (19 U.S.C. 2401) is amended by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

SA 629. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. REPORT ON IMPACT OF FREE TRADE AGREEMENTS ON EMPLOYMENT IN THE UNITED STATES.

(a) IN GENERAL.—Not later than 1 year after the date on which a free trade agreement specified in subsection (b) enters into force, the Secretary of Labor shall submit to Congress a report assessing—

(1) the number of workers dislocated because of the entry into force of that agreement; and

(2) the overall impact of that agreement on employment in the United States.

(b) FREE TRADE AGREEMENTS SPECIFIED.—A free trade agreement specified in this subsection is—

(1) the United States–Korea Free Trade Agreement;

(2) the United States–Colombia Trade Promotion Agreement; or

(3) the United States–Panama Trade Promotion Agreement.

SA 630. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, between lines 2 and 3, insert the following:

SEC. 217. PLAN TO LEVERAGE PRIVATE SECTOR RESOURCES TO ASSIST WORKERS ELIGIBLE FOR TRADE ADJUSTMENT ASSISTANCE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor, in consultation with the Secretary of Commerce, shall submit to Congress a plan to effectively leverage private sector resources to assist workers who are eligible for trade adjustment assistance under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) to find employment.

SA 631. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. RENEWAL OF DUTY SUSPENSIONS ON COTTON SHIRTING FABRICS AND RELATED PROVISIONS.

(a) EXTENSIONS.—Each of the following headings of the Harmonized Tariff Schedule of the United States is amended by striking everything after ''suitable for use in men's and boys' shirts'' in the article description column and by striking the date in the effective date column and inserting ''12/31/2013'':

(1) Heading 9902.52.08 (relating to woven fabrics of cotton).

(2) Heading 9902.52.09 (relating to woven fabrics of cotton).

(3) Heading 9902.52.10 (relating to woven fabrics of cotton).

(4) Heading 9902.52.11 (relating to woven fabrics of cotton).

(5) Heading 9902.52.12 (relating to woven fabrics of cotton).

(6) Heading 9902.52.13 (relating to woven fabrics of cotton).

(7) Heading 9902.52.14 (relating to woven fabrics of cotton).

(8) Heading 9902.52.15 (relating to woven fabrics of cotton).

(9) Heading 9902.52.16 (relating to woven fabrics of cotton).

(10) Heading 9902.52.17 (relating to woven fabrics of cotton).

(11) Heading 9902.52.18 (relating to woven fabrics of cotton).

(12) Heading 9902.52.19 (relating to woven fabrics of cotton).

(13) Heading 9902.52.20 (relating to woven fabrics of cotton).

(14) Heading 9902.52.21 (relating to woven fabrics of cotton).

(15) Heading 9902.52.22 (relating to woven fabrics of cotton).

(16) Heading 9902.52.23 (relating to woven fabrics of cotton).

(17) Heading 9902.52.24 (relating to woven fabrics of cotton).

(18) Heading 9902.52.25 (relating to woven fabrics of cotton).

(19) Heading 9902.52.26 (relating to woven fabrics of cotton).

(20) Heading 9902.52.27 (relating to woven fabrics of cotton).

(21) Heading 9902.52.28 (relating to woven fabrics of cotton).

(22) Heading 9902.52.29 (relating to woven fabrics of cotton).

(23) Heading 9902.52.30 (relating to woven fabrics of cotton).

(24) Heading 9902.52.31 (relating to woven fabrics of cotton).

(b) EXTENSION OF DUTY REFUNDS AND PIMA COTTON TRUST FUND; MODIFICATION OF AFFIDAVIT REQUIREMENTS.—Section 407 of title IV of division C of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3060) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''amounts determined by the Secretary'' and all that follows through ''5208.59.80'' and inserting ''amounts received in the general fund that

are attributable to duties received since January 1, 2004, on articles classified under heading 5208''; and

(B) in paragraph (2), by striking ''October 1, 2008'' and inserting ''December 31, 2013'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''beginning in fiscal year 2007'' and inserting ''for fiscal year 2011 and each fiscal year thereafter'';

(B) by striking ''grown in the United States'' each place it appears; and

(C) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''that produce ring spun cotton yarns in the United States'' after ''of pima cotton'';

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting ''annually'' after ''provided''; and

(B) in paragraph (1), by inserting ''during the year in which the affidavit is filed and'' after ''imported cotton fabric''; and

(4) in subsection (f)—

(A) in the matter preceding paragraph (1), by inserting ''annually'' after ''provided''; and

(B) in paragraph (1)—

(i) by striking ''grown in the United States'' and inserting ''during the year in which the affidavit is filed and''; and

(ii) by inserting ''in the United States'' after ''cotton yarns''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply with respect to affidavits filed on or after such date of enactment.

SA 632. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

TITLE ____—CURRENCY EXCHANGE RATE TRANSPARENCY

SECTION __01. SHORT TITLE.

This title may be cited as the ''Currency Exchange Rate Transparency Act''.

SEC. __02. LIMITATIONS ON BILLS IMPLEMENTING TRADE AGREEMENTS.

(a) IN GENERAL.—Notwithstanding section 151 of the Trade Act of 1974 (19 U.S.C. 2191) or any other provision of law, any bill implementing a trade agreement between the United States and another country (or extending permanent normal trade relations) shall be subject to a point of order pursuant to subsection (c) unless—

(1) the bill is accompanied by a Presidential certification described in subsection (b); and

(2) the bill contains a provision approving that certification.

(b) CERTIFICATION.—

(1) IN GENERAL.—A certification described in this subsection means a certification submitted by the President to the Congress that, in the 10-year period preceding the certification, the government of a country described in paragraph (2) has not engaged in the intervention or manipulation of the rate of exchange between that country's currency and the United States dollar for purposes of preventing effective balance of payments adjustments or gaining unfair competitive advantage in international trade.

(2) COUNTRY DESCRIBED.—A country described in this paragraph is a country—

(A) with respect to which the United States is entering into a trade agreement; or

(B) with respect to which the United States is extending permanent normal trade relations

(c) POINT OF ORDER IN SENATE.—

(1) IN GENERAL.—The Senate shall cease consideration of a bill to implement a trade agreement (or to extend permanent normal trade relations), if—

(A) a point of order is made by any Senator against the bill because the bill is not accompanied by a certification described in subsection (b); and

(B) the point of order is sustained by the presiding officer.

(2) WAIVERS AND APPEALS.—

(A) WAIVERS.—Before the presiding officer rules on a point of order described in paragraph (1), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in paragraph (1) is waived only by the affirmative vote of a majority of the Members of the Senate, duly chosen and sworn.

(B) APPEALS.—After the presiding officer rules on a point of order under this paragraph, any Senator may appeal the ruling of the presiding officer on the point of order as it applies to some or all of the provisions on which the presiding officer ruled. A ruling of the presiding officer on a point of order described in paragraph (1) is sustained unless a majority of the Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(C) DEBATE.—Debate on a motion to waive under subparagraph (A) or on an appeal of the ruling of the presiding officer under subparagraph (B) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the majority leader and the minority leader of the Senate, or their designees.

SA 633. Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—TRADE ADJUSTMENT ASSISTANCE

SEC. 200. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This title may be cited as the ''Trade Adjustment Assistance Extension Act of 2011''.

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

TITLE II—TRADE ADJUSTMENT ASSISTANCE

Sec. 200. Short title; table of contents.

Subtitle A—Extension of Trade Adjustment Assistance

PART I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE

Sec. 201. Application of provisions relating to trade adjustment assistance.

PART II—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Sec. 211. Group eligibility requirements.
Sec. 212. Reductions in waivers from training.
Sec. 213. Limitations on trade readjustment allowances.
Sec. 214. Funding of training, employment and case management services, and job search and relocation allowances.
Sec. 215. Reemployment trade adjustment assistance.
Sec. 216. Program accountability.
Sec. 217. Extension.

PART III—OTHER ADJUSTMENT ASSISTANCE

Sec. 221. Trade adjustment assistance for firms.
Sec. 222. Trade adjustment assistance for communities.
Sec. 223. Trade adjustment assistance for farmers.

PART IV—GENERAL PROVISIONS

Sec. 231. Applicability of trade adjustment assistance provisions.
Sec. 232. Termination provisions.
Sec. 233. Sunset provisions.

Subtitle B—Health Coverage Improvement

Sec. 241. Health care tax credit.
Sec. 242. TAA pre-certification period rule for purposes of determining whether there is a 63-day lapse in creditable coverage.
Sec. 243. Extension of COBRA benefits for certain TAA-eligible individuals and PBGC recipients.

Subtitle C—Offsets

PART I—UNEMPLOYMENT COMPENSATION PROGRAM INTEGRITY

Sec. 251. Mandatory penalty assessment on fraud claims.
Sec. 252. Prohibition on noncharging due to employer fault.
Sec. 253. Reporting of rehired employees to the directory of new hires.

PART II—ADDITIONAL OFFSETS

Sec. 261. Improvements to contracts with Medicare quality improvement organizations (QIOs) in order to improve the quality of care furnished to Medicare beneficiaries.
Sec. 262. Rates for merchandise processing fees.
Sec. 263. Time for remitting certain merchandise processing fees.

Subtitle A—Extension of Trade Adjustment Assistance

PART I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE

SEC. 201. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.

(a) REPEAL OF SNAPBACK.—Section 1893 of the Trade and Globalization Adjustment Assistance Act of 2009 (Public Law 111–5; 123 Stat. 422) is repealed.

(b) APPLICABILITY OF CERTAIN PROVISIONS.—Except as otherwise provided in this subtitle, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on February 12, 2011, and as amended by this subtitle, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapters 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) REFERENCES.—Except as otherwise provided in this subtitle, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on February 12, 2011.

PART II—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

SEC. 211. GROUP ELIGIBILITY REQUIREMENTS.

(a) IN GENERAL.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(1) by striking subsection (b);

(2) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively;

(3) in paragraph (2) of subsection (b), as redesignated, by striking ''(d)'' and inserting ''(c)'';

(4) in subsection (c), as redesignated, by striking paragraph (5); and

(5) in paragraph (2) of subsection (d), as redesignated, by striking '', (b), or (c)'' and inserting ''or (b)''.

(b) CONFORMING AMENDMENTS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking ''Subject to section 222(d)(5), the term'' and inserting ''The term''; and

(B) in subparagraph (A), by striking '', service sector firm, or public agency'' and inserting ''or service sector firm'';

(2) by striking paragraph (7); and

(3) by redesignating paragraphs (8) through (19) as paragraphs (7) through (18), respectively.

SEC. 212. REDUCTIONS IN WAIVERS FROM TRAINING.

(a) IN GENERAL.—Section 231(c) of the Trade Act of 1974 (19 U.S.C. 2291(c)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraphs (A), (B), and (C); and

(B) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (A), (B), and (C), respectively; and

(2) in paragraph (3)(B), by striking ''(D), (E), or (F)'' and inserting ''or (C)''.

(b) GOOD CAUSE EXCEPTION.—Section 234(b) of the Trade Act of 1974 (19 U.S.C. 2294(b)) is amended to read as follows:

''(b) SPECIAL RULE ON GOOD CAUSE FOR WAIVER OF TIME LIMITS OR LATE FILING OF CLAIMS.—The Secretary shall establish procedures and criteria that allow for a waiver for good cause of the time limitations with respect to an application for a trade readjustment allowance or enrollment in training under this chapter.''.

SEC. 213. LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES.

Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking ''(or'' and all that follows through ''period)''; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''78'' and inserting ''65''; and

(ii) by striking ''91-week period'' each place it appears and inserting ''78-week period''; and

(2) by amending subsection (f) to read as follows:

''(f) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

''(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

''(2) the worker participates in training in each such week; and

''(3) the worker—

''(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

''(B) is expected to continue to make progress toward the completion of the training; and

''(C) will complete the training during that period of eligibility.''.

SEC. 214. FUNDING OF TRAINING, EMPLOYMENT AND CASE MANAGEMENT SERVICES, AND JOB SEARCH AND RELOCATION ALLOWANCES.

(a) IN GENERAL.—Section 236(a)(2) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)) is amended—

(1) by inserting ''and sections 235, 237, and 238'' after ''to carry out this section'' each place it appears;

(2) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''of payments that may be made under paragraph (1)'' and inserting ''of funds available to carry out this section and sections 235, 237, and 238''; and

(B) by striking clauses (i) and (ii) and inserting the following:

''(i) $575,000,000 for each of fiscal years 2012 and 2013; and

''(ii) $143,750,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013.'';

(3) in subparagraph (C)(ii)(V), by striking ''relating to the provision of training under this section'' and inserting ''to carry out this section and sections 235, 237, and 238''; and

(4) in subparagraph (E), by striking ''to pay the costs of training approved under this section'' and inserting ''to carry out this section and sections 235, 237, and 238''.

(b) LIMITATIONS ON ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.—

(1) IN GENERAL.—Section 235A of the Trade Act of 1974 (19 U.S.C. 2295a) is amended—

(A) in the section heading, by striking ''**FUNDING FOR**'' and inserting ''**LIMITATIONS ON**''; and

(B) by striking subsections (a) and (b) and inserting the following:

''Of the funds made available to a State to carry out sections 235 through 238 for a fiscal year, the State shall use—

''(1) not more than 10 percent for the administration of the trade adjustment assistance for workers program under this chapter, including for—

''(A) processing waivers of training requirements under section 231;

''(B) collecting, validating, and reporting data required under this chapter; and

''(C) providing reemployment trade adjustment assistance under section 246; and

''(2) not less than 5 percent for employment and case management services under section 235.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 235A and inserting the following:

''Sec. 235A. Limitations on administrative expenses and employment and case management services.''.

(c) REALLOTMENT OF FUNDS.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by adding at the end the following:

''(c) REALLOTMENT OF FUNDS.—

''(1) IN GENERAL.—The Secretary may—

''(A) reallot funds that were allotted to any State to carry out sections 235 through 238 and that remain unobligated by the State during the second or third fiscal year after the fiscal year in which the funds were provided to the State; and

''(B) provide such realloted funds to States to carry out sections 235 through 238 in accordance with procedures established by the Secretary.

''(2) REQUESTS BY STATES.—In establishing procedures under paragraph (1)(B), the Secretary shall include procedures that provide for the distribution of realloted funds under that paragraph pursuant to requests submitted by States in need of such funds.

''(3) AVAILABILITY OF AMOUNTS.—The reallotment of funds under paragraph (1) shall not extend the period for which such funds are available for expenditure.''.

(d) JOB SEARCH ALLOWANCES.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended—

(1) in subsection (a)(1)—

(A) by striking ''An adversely affected worker'' and inserting ''Each State may use funds made available to the State to carry out sections 235 through 238 to allow an adversely affected worker''; and

(B) by striking ''may'' and inserting ''to'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''An'' and inserting ''Any''; and

(ii) by striking ''all necessary job search expenses'' and inserting ''not more than 90 percent of the necessary job search expenses of the worker''; and

(B) in paragraph (2), by striking ''$1,500'' and inserting ''$1,250''; and

(3) in subsection (c), by striking ''the Secretary shall'' and inserting ''a State may''.

(e) RELOCATION ALLOWANCES.—Section 238 of the Trade Act of 1974 (19 U.S.C. 2298) is amended—

(1) in subsection (a)(1)—

(A) by striking ''Any adversely affected worker'' and inserting ''Each State may use funds made available to the State to carry out sections 235 through 238 to allow an adversely affected worker''; and

(B) by striking ''may file'' and inserting ''to file''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''The'' and inserting ''Any''; and

(ii) by striking ''includes'' and inserting ''shall include'';

(B) in paragraph (1), by striking ''all'' and inserting ''not more than 90 percent of the''; and

(C) in paragraph (2), by striking ''$1,500'' and inserting ''$1,250''.

(f) CONFORMING AMENDMENTS.—Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended—

(1) in subsection (b), in the first sentence, by striking ''approppriate'' and inserting ''appropriate''; and

(2) by striking subsection (g) and redesignating subsection (h) as subsection (g).

SEC. 215. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Section 246(a) of the Trade Act of 1974 (19 U.S.C. 2318(a)) is amended—

(1) in paragraph (3)(B)(ii), by striking ''$55,000'' and inserting ''$50,000''; and

(2) in paragraph (5)—

(A) in subparagraph (A)(i), by striking ''$12,000'' and inserting ''$10,000''; and

(B) in subparagraph (B)(i), by striking ''$12,000'' and inserting ''$10,000''.

(b) EXTENSION.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking ''February 12, 2011'' and inserting ''December 31, 2013''.

SEC. 216. PROGRAM ACCOUNTABILITY.

(a) CORE INDICATORS OF PERFORMANCE.—

(1) IN GENERAL.—Section 239(j)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2311(j)(2)(A)) is amended to read as follows:

''(A) IN GENERAL.—The core indicators of performance described in this paragraph are—

''(i) the percentage of workers receiving benefits under this chapter who are employed during the first or second calendar quarter following the calendar quarter in which the workers cease receiving such benefits;

''(ii) the percentage of such workers who are employed during the 2 calendar quarters

following the earliest calendar quarter during which the worker was employed as described in clause (i);

''(iii) the average earnings of such workers who are employed during the 2 calendar quarters described in clause (ii); and

''(iv) the percentage of such workers who obtain a recognized postsecondary credential, including an industry-recognized credential, or a secondary school diploma or its recognized equivalent if combined with employment under clause (i), while receiving benefits under this chapter or during the 1-year period after such workers cease receiving such benefits.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to agreements under section 239 of the Trade Act of 1974 (19 U.S.C. 2311) entered into before, on, or after October 1, 2011.

(b) COLLECTION AND PUBLICATION OF DATA.—

(1) IN GENERAL.—Section 249B(b) of the Trade Act of 1974 (19 U.S.C. 2323(b)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by inserting ''(including such allowances classified by payments under paragraphs (1) and (3) of section 233(a), and section 233(f), respectively) and payments under section 246'' after ''readjustment allowances''; and

(ii) by adding at the end the following:

''(D) The average number of weeks trade readjustment allowances were paid to workers.

''(E) The number of workers who report that they have received benefits under a prior certification issued under this chapter in any of the 10 fiscal years preceding the fiscal year for which the data is collected under this section.'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''training leading to an associate's degree, remedial education, prerequisite education,'' after ''distance learning,'';

(ii) by amending subparagraph (B) to read as follows:

''(B) The number of workers who complete training approved under section 236 who were enrolled in pre-layoff training or part-time training at any time during that training.'';

(iii) in subparagraph (C), by inserting '', and the average duration of training that does not include remedial or prerequisite education'' after ''training'';

(iv) in subparagraph (E), by striking ''duration'' and inserting ''average duration''; and

(v) in subparagraph (F), by inserting ''and the average duration of the training that was completed by such workers'' after ''training''; and

(C) in paragraph (4)—

(i) by redesignating subparagraph (B) as subparagraph (D); and

(ii) by inserting after subparagraph (A) the following:

''(B) A summary of the data on workers in the quarterly reports required under section 239(j) classified by the age, pre-program educational level, and post-program credential attainment of the workers.

''(C) The average earnings of workers described in section 239(j)(2)(A)(i) in the second, third, and fourth calendar quarters following the calendar quarter in which such workers cease receiving benefits under this chapter, expressed as a percentage of the average earnings of such workers in the 3 calendar quarters before the calendar quarter in which such workers began receiving benefits under this chapter.''; and

(D) by adding at the end the following:

''(6) DATA ON SPENDING.—

''(A) The total amount of funds used to pay for trade readjustment allowances, in the aggregate and by each State.

''(B) The total amount of the payments to the States to carry out sections 235 through 238 used for training, in the aggregate and for each State.

''(C) The total amount of payments to the States to carry out sections 235 through 238 used for the costs of administration, in the aggregate and for each State.

''(D) The total amount of payments to the States to carry out sections 235 through 238 used for job search and relocation allowances, in the aggregate and for each State.''.

(2) EFFECTIVE DATE.—Not later than October 1, 2012, the Secretary of Labor shall update the system required by section 249B(a) of the Trade Act of 1974 (19 U.S.C. 2323(a)) to include the collection of and reporting on the data required by the amendments made by paragraph (1).

(3) ANNUAL REPORT.—Section 249B(d) of the Trade Act of 1974 (19 U.S.C. 2323(d)) is amended by striking ''December 15'' and inserting ''February 15''.

SEC. 217. EXTENSION.

Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking ''February 12, 2011'' and inserting ''December 31, 2013''.

PART III—OTHER ADJUSTMENT ASSISTANCE

SEC. 221. TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.) is amended by inserting after section 255 the following:

''SEC. 255A. ANNUAL REPORT ON TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.

''(a) IN GENERAL.—Not later than December 15, 2012, and annually thereafter, the Secretary shall prepare a report containing data regarding the trade adjustment assistance for firms program under this chapter for the preceding fiscal year. The data shall include the following:

''(1) The number of firms that inquired about the program.

''(2) The number of petitions filed under section 251.

''(3) The number of petitions certified and denied by the Secretary.

''(4) The average time for processing petitions after the petitions are filed.

''(5) The number of petitions filed and firms certified for each congressional district of the United States.

''(6) Of the number of petitions filed, the number of firms that entered the program and received benefits.

''(7) The number of firms that received assistance in preparing their petitions.

''(8) The number of firms that received assistance developing business recovery plans.

''(9) The number of business recovery plans approved and denied by the Secretary.

''(10) The average duration of benefits received under the program nationally and in each region served by an intermediary organization referred to in section 253(b)(1).

''(11) Sales, employment, and productivity at each firm participating in the program at the time of certification.

''(12) Sales, employment, and productivity at each firm upon completion of the program and each year for the 2-year period following completion of the program.

''(13) The number of firms in operation as of the date of the report and the number of firms that ceased operations after completing the program and in each year during the 2-year period following completion of the program.

''(14) The financial assistance received by each firm participating in the program.

''(15) The financial contribution made by each firm participating in the program.

''(16) The types of technical assistance included in the business recovery plans of firms participating in the program.

''(17) The number of firms leaving the program before completing the project or projects in their business recovery plans and the reason the project or projects were not completed.

''(18) The total amount expended by all intermediary organizations referred to in section 253(b)(1) and by each such organization to administer the program.

''(19) The total amount expended by intermediary organizations to provide technical assistance to firms under the program nationally and in each region served by such an organization.

''(b) CLASSIFICATION OF DATA.—To the extent possible, in collecting and reporting the data described in subsection (a), the Secretary shall classify the data by intermediary organization, State, and national totals.

''(c) REPORT TO CONGRESS; PUBLICATION.—The Secretary shall—

''(1) submit the report described in subsection (a) to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives; and

''(2) publish the report in the Federal Register and on the website of the Department of Commerce.

''(d) PROTECTION OF CONFIDENTIAL INFORMATION.—

''(1) IN GENERAL.—The Secretary may not release information described in subsection (a) that the Secretary considers to be confidential business information unless the person submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such person subsequently consents to the release of the information.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit the Secretary from providing information the Secretary considers to be confidential business information under paragraph (1) to a court in camera or to another party under a protective order issued by a court.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 255 the following:

''Sec. 255A. Annual report on trade adjustment assistance for firms.''.

(3) CONFORMING REPEAL.—Effective on the day after the date on which the Secretary of Commerce submits the report required by section 1866 of the Trade and Globalization Adjustment Assistance Act of 2009 (19 U.S.C. 2356) for fiscal year 2011, such section is repealed.

(b) EXTENSION.—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended—

(1) by striking ''$50,000,000'' and all that follows through ''February 12, 2011.'' and inserting ''$16,000,000 for each of the fiscal years 2012 and 2013, and $4,000,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013.''; and

(2) by striking ''shall—'' and all that follows through ''otherwise remain'' and inserting ''shall remain''.

SEC. 222. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.

(a) IN GENERAL.—Chapter 4 of title II of the Trade Act of 1974 (19 U.S.C. 2371 et seq.) is amended—

(1) by striking subchapters A, C, and D;

(2) in subchapter B, by striking the subchapter heading; and

(3) by redesignating sections 278 and 279 as sections 271 and 272, respectively.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Subsection (e) of section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended—

(A) in the matter preceding paragraph (1), by striking ''December 15 in each of the calendar years 2009 through'' and inserting ''December 15, 2009,'';

(B) in paragraph (1), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(3) providing the following data relating to program performance and outcomes:

''(A) Of the grants awarded under this section, the amount of funds spent by grantees.

''(B) The average dollar amount of grants awarded under this section.

''(C) The average duration of grants awarded under this section.

''(D) The percentage of workers receiving benefits under chapter 2 that are served by programs developed, offered, or improved using grants awarded under this section.

''(E) The percentage and number of workers receiving benefits under chapter 2 who obtained a degree through such programs and the average duration of the participation of such workers in training under section 236.

''(F) The number of workers receiving benefits under chapter 2 served by such programs who did not complete a degree and the average duration of the participation of such workers in training under section 236.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to reports submitted under subsection (e) of section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), on or after October 1, 2012.

(c) CONFORMING AMENDMENTS.—

(1) Section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended—

(A) in subsection (c)—

(i) in paragraph (4)—

(I) in subparagraph (A)—

(aa) in clause (ii), by striking the semicolon and inserting ''; and'';

(bb) by striking clauses (iii) and (iv); and

(cc) by redesignating clause (v) as clause (iii);

(II) in subparagraph (B), by striking ''(A)(v)'' and inserting ''(A)(iii)''; and

(ii) in paragraph (5)(A)—

(I) in clause (i)—

(aa) in the matter preceding subclause (I), by striking '', and other entities described in section 276(a)(2)(B)''; and

(bb) in subclause (II), by striking the semicolon and inserting ''; and'';

(II) by striking clause (iii); and

(B) in subsection (d), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Subsection (b) of section 272 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended by striking ''278(a)(2)'' and inserting ''271(a)(2)''.

(d) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the items relating to chapter 4 of title II and inserting the following:

''CHAPTER 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

''Sec. 271. Community College and Career Training Grant Program.

''Sec. 272. Authorization of appropriations.''.

SEC. 223. TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Section 293(d) of the Trade Act of 1974 (19 U.S.C. 2401b(d)) is amended to read as follows:

''(d) ANNUAL REPORT.—Not later than January 30 of each year, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report containing the following information with respect to the trade adjustment assistance for farmers program under this chapter during the preceding fiscal year:

''(1) A list of the agricultural commodities covered by a certification under this chapter.

''(2) The States or regions in which agricultural commodities are produced and the aggregate amount of such commodities produced in each such State or region.

''(3) The number of petitions filed.

''(4) The number of petitions certified and denied by the Secretary.

''(5) The average time for processing petitions.

''(6) The number of petitions filed and agricultural commodity producers approved for each congressional district of the United States.

''(7) Of the number of producers approved, the number of agricultural commodity producers that entered the program and received benefits.

''(8) The number of agricultural commodity producers that completed initial technical assistance.

''(9) The number of agricultural commodity producers that completed intensive technical assistance.

''(10) The number of initial business plans approved and denied by the Secretary.

''(11) The number of long-term business plans approved and denied by the Secretary.

''(12) The total number of agricultural commodity producers, by congressional district, receiving initial technical assistance and intensive technical assistance, respectively, under this chapter.

''(13) The types of initial technical assistance received by agricultural commodity producers participating in the program.

''(14) The types of intensive technical assistance received by agricultural commodity producers participating in the program.

''(15) The number of agricultural commodity producers leaving the program before completing the projects in their long-term business plans and the reason those projects were not completed.

''(16) The total number of agricultural commodity producers, by congressional district, receiving benefits under this chapter.

''(17) The average duration of benefits received under this chapter.

''(18) The number of agricultural commodity producers in operation as of the date of the report and the number of agricultural commodity producers that ceased operations after completing the program and in the 1-year period following completion of the program.

''(19) The number of agricultural commodity producers that report that such producers received benefits under a prior certification issued under this chapter in any of the 10 fiscal years preceding the date of the report.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to reports submitted under section 293(d) of the Trade Act of 1974 (19 U.S.C. 2401b(d)) on or after October 1, 2012.

(b) EXTENSION.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended—

(1) by striking ''and there are appropriated''; and

(2) by striking ''not to exceed'' and all that follows through ''February 12, 2011'' and inserting ''not to exceed $90,000,000 for each of the fiscal years 2012 and 2013, and $22,500,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013''.

PART IV—GENERAL PROVISIONS

SEC. 231. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—

(1) PETITIONS FILED ON OR AFTER FEBRUARY 13, 2011, AND BEFORE DATE OF ENACTMENT.—

(A) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(i) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) PETITION DESCRIBED.—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(B) ELIGIBILITY FOR BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 60 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) ELECTION FOR WORKERS RECEIVING BENEFITS ON THE 60TH DAY AFTER ENACTMENT.—

(I) IN GENERAL.—A worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) who is receiving benefits under chapter 2 of title II of the Trade Act of 1974 as of the date that is 60 days after the date of the enactment of this Act may, not later than the date that is 150 days after such date of enactment, make a one-time election to receive benefits pursuant to—

(aa) the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment; or

(bb) the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011.

(II) EFFECT OF FAILURE TO MAKE ELECTION.—A worker described in subclause (I) who does not make the election described in that subclause on or before the date that is 150 days after the date of the enactment of this Act shall be eligible to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011.

(III) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in subclause (I) under chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011, before the worker makes the election described in that subclause shall be included

in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, or as in effect on February 13, 2011, whichever is applicable after the election of the worker under subclause (I).

(2) PETITIONS FILED BEFORE FEBRUARY 13, 2011.—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974—

(A) on or after May 18, 2009, and on or before February 12, 2011, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on February 12, 2011; or

(B) before May 18, 2009, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on May 17, 2009.

(3) QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF ENACTMENT.—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting ''before February 13, 2010'' for ''more than one year before the date of the petition on which such certification was granted'' for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—

(1) CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(A) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) PETITION DESCRIBED.—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(2) CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN FEBRUARY 13, 2011, AND DATE OF ENACTMENT.—

(A) IN GENERAL.—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) FIRM DESCRIBED.—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on February 13, 2011, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

SEC. 232. TERMINATION PROVISIONS.

Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended—

(1) by striking ''February 12, 2011'' each place it appears and inserting ''December 31, 2013'';

(2) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A), by striking ''that chapter'' and all that follows through ''the worker is—'' and inserting ''that chapter if the worker is—''; and

(B) in subparagraph (A), by striking ''petitions'' and inserting ''a petition''; and

(3) in subsection (b)—

(A) in paragraph (1)(B), in the matter preceding clause (i), by inserting ''pursuant to a petition filed under section 251'' after ''chapter 3'';

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''pursuant to a petition filed under section 292'' after ''chapter 6''; and

(C) by striking paragraph (3).

SEC. 233. SUNSET PROVISIONS.

(a) APPLICATION OF PRIOR LAW.—Subject to subsection (b), beginning on January 1, 2014, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on February 13, 2011, shall apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect;

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting ''104-week period'' for ''104-week period'' and all that follows through ''130-week period)''; and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting ''65'' for ''52''; and

(II) by substituting ''78-week period'' for ''52-week period'' each place it appears; and

(B) by applying and administering subsection (g) as if it read as follows:

''(g) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

''(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

''(2) the worker participates in training in each such week; and

''(3) the worker—

''(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

''(B) is expected to continue to make progress toward the completion of the training; and

''(C) will complete the training during that period of eligibility.'';

(3) section 245 of that Act shall be applied and administered by substituting ''2014'' for ''2007'';

(4) section 246(b)(1) of that Act shall be applied and administered by substituting ''December 31, 2014'' for ''the date that is 5 years'' and all that follows through ''State'';

(5) section 256(b) of that Act shall be applied and administered by substituting ''the 1-year period beginning on January 1, 2014'' for ''each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning on October 1, 2007'';

(6) section 298(a) of that Act shall be applied and administered by substituting ''the 1-year period beginning on January 1, 2014'' for ''each of the fiscal years'' and all that follows through ''October 1, 2007''; and

(7) section 285 of that Act shall be applied and administered—

(A) in subsection (a), by substituting ''2014'' for ''2007'' each place it appears; and

(B) by applying and administering subsection (b) as if it read as follows:

''(b) OTHER ASSISTANCE.—

''(1) ASSISTANCE FOR FIRMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after December 31, 2014.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 on or before December 31, 2014, may be provided—

''(i) to the extent funds are available pursuant to such chapter for such purpose; and

''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

''(2) FARMERS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after December 31, 2014.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before December 31, 2014, may be provided—

''(i) to the extent funds are available pursuant to such chapter for such purpose; and

''(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.''.

(b) EXCEPTIONS.—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after January 1, 2014, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before January 1, 2014;

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before January 1, 2014; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before January 1, 2014.

Subtitle B—Health Coverage Improvement

SEC. 241. HEALTH CARE TAX CREDIT.

(a) TERMINATION OF CREDIT.—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by inserting '', and before January 1, 2014'' before the period.

(b) EXTENSION THROUGH CREDIT TERMINATION DATE OF CERTAIN EXPIRED CREDIT PROVISIONS.—

(1) PARTIAL EXTENSION OF INCREASED CREDIT RATE.—Section 35(a) of such Code is amended by striking ''65 percent (80 percent in the case of eligible coverage months beginning before February 13, 2011)'' and inserting ''72.5 percent''.

(2) EXTENSION OF ADVANCE PAYMENT PROVISIONS.—

(A) Section 7527(b) of such Code is amended by striking ''65 percent (80 percent in the case of eligible coverage months beginning before February 13, 2011)'' and inserting ''72.5 percent''.

(B) Section 7527(d)(2) of such Code is amended by striking ''which is issued before February 13, 2011''.

(C) Section 7527(e) of such Code is amended by striking ''80 percent'' and inserting ''72.5 percent''.

(D) Section 7527(e) of such Code is amended by striking ''In the case of eligible coverage months beginning before February 13, 2011—''.

(3) EXTENSION OF CERTAIN OTHER RELATED PROVISIONS.—

(A) Section 35(c)(2)(B) of such Code is amended by striking ''and before February 13, 2011''.

(B) Section 35(e)(1)(K) of such Code is amended by striking ''In the case of eligible coverage months beginning before February 13, 2012, coverage'' and inserting ''Coverage''.

(C) Section 35(g)(9) of such Code, as added by section 1899E(a) of the American Recovery and Reinvestment Tax Act of 2009 (relating to continued qualification of family members after certain events), is amended by striking ''In the case of eligible coverage months beginning before February 13, 2011—''.

(D) Section 173(f)(8) of the Workforce Investment Act of 1998 is amended by striking ''In the case of eligible coverage months beginning before February 13, 2011—''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to coverage months beginning after February 12, 2011.

(2) ADVANCE PAYMENT PROVISIONS.—

(A) The amendment made by subsection (b)(2)(B) shall apply to certificates issued after the date which is 30 days after the date of the enactment of this Act.

(B) The amendment made by subsection (b)(2)(D) shall apply to coverage months beginning after the date which is 30 days after the date of the enactment of this Act.

SEC. 242. TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) IN GENERAL.—The following provisions are each amended by striking ''February 13, 2011'' and inserting ''January 1, 2014'':

(1) Section 9801(c)(2)(D) of the Internal Revenue Code of 1986.

(2) Section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)(C)).

(3) Section 2701(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning before January 1, 2014).

(4) Section 2704(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning on or after January 1, 2014).

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after February 12, 2011.

(2) TRANSITIONAL RULES.—

(A) BENEFIT DETERMINATIONS.—Notwithstanding the amendments made by this section (and the provisions of law amended thereby), a plan shall not be required to modify benefit determinations for the period beginning on February 13, 2011, and ending 30 days after the date of the enactment of this Act, but a plan shall not fail to be qualified health insurance within the meaning of section 35(e) of the Internal Revenue Code of 1986 during this period merely due to such failure to modify benefit determinations.

(B) GUIDANCE CONCERNING PERIODS BEFORE 30 DAYS AFTER ENACTMENT.—Except as provided in subparagraph (A), the Secretary of the Treasury (or his designee), in consultation with the Secretary of Health and Human Services and the Secretary of Labor, may issue regulations or other guidance regarding the scope of the application of the amendments made by this section to periods before the date which is 30 days after the date of the enactment of this Act.

(C) SPECIAL RULE RELATING TO CERTAIN LOSS OF COVERAGE.—In the case of a TAA-related loss of coverage (as defined in section 4980B(f)(5)(C)(iv) of the Internal Revenue Code of 1986) that occurs during the period beginning on February 13, 2011, and ending 30 days after the date of the enactment of this Act, the 7-day period described in section 9801(c)(2)(D) of the Internal Revenue Code of 1986, section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974, and section 2701(c)(2)(C) of the Public Health Service Act shall be extended until 30 days after such date of enactment.

SEC. 243. EXTENSION OF COBRA BENEFITS FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS AND PBGC RECIPIENTS.

(a) IN GENERAL.—The following provisions are each amended by striking ''February 12, 2011'' and inserting ''January 1, 2014'':

(1) Section 602(2)(A)(v) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)(A)(v)).

(2) Section 602(2)(A)(vi) of such Act (29 U.S.C. 1162(2)(A)(vi)).

(3) Section 4980B(f)(2)(B)(i)(V) of the Internal Revenue Code of 1986.

(4) Section 4980B(f)(2)(B)(i)(VI) of such Code.

(5) Section 2202(2)(A)(iv) of the Public Health Service Act (42 U.S.C. 300bb–2(2)(A)(iv)).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to periods of coverage which would (without regard to the amendments made by this section) end on or after the date which is 30 days after the date of the enactment of this Act.

Subtitle C—Offsets

PART I—UNEMPLOYMENT COMPENSATION PROGRAM INTEGRITY

SEC. 251. MANDATORY PENALTY ASSESSMENT ON FRAUD CLAIMS.

(a) IN GENERAL.—Section 303(a) of the Social Security Act (42 U.S.C. 503(a)) is amended—

(1) in paragraph (10), by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(2) by adding at the end the following new paragraph:

''(11)(A) At the time the State agency determines an erroneous payment from its unemployment fund was made to an individual due to fraud committed by such individual, the assessment of a penalty on the individual in an amount of not less than 15 percent of the amount of the erroneous payment; and

''(B) The immediate deposit of all assessments paid pursuant to subparagraph (A) into the unemployment fund of the State.''.

(b) APPLICATION TO FEDERAL PAYMENTS.—

(1) IN GENERAL.—As a condition for administering any unemployment compensation program of the United States (as defined in paragraph (2)) as an agent of the United States, if the State determines that an erroneous payment was made by the State to an individual under any such program due to fraud committed by such individual, the State shall assess a penalty on such individual and deposit any such penalty received in the same manner as the State assesses and deposits such penalties under provisions of State law implementing section 303(a)(11) of the Social Security Act, as added by subsection (a).

(2) DEFINITION.—For purposes of this subsection, the term ''unemployment compensation program of the United States'' means—

(A) unemployment compensation for Federal civilian employees under subchapter I of chapter 85 of title 5, United States Code;

(B) unemployment compensation for ex-servicemembers under subchapter II of chapter 85 of title 5, United States Code;

(C) trade readjustment allowances under sections 231 through 234 of the Trade Act of 1974 (19 U.S.C. 2291–2294);

(D) disaster unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a));

(E) any Federal temporary extension of unemployment compensation;

(F) any Federal program which increases the weekly amount of unemployment compensation payable to individuals; and

(G) any other Federal program providing for the payment of unemployment compensation.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to erroneous payments established after the end of the 2-year period beginning on the date of the enactment of this Act.

(2) AUTHORITY.—A State may amend its State law to apply such amendments to erroneous payments established prior to the end of the period described in paragraph (1).

SEC. 252. PROHIBITION ON NONCHARGING DUE TO EMPLOYER FAULT.

(a) IN GENERAL.—Section 3303 of the Internal Revenue Code of 1986 is amended—

(1) by striking subsections (f) and (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) PROHIBITION ON NONCHARGING DUE TO EMPLOYER FAULT.—

''(1) IN GENERAL.—A State law shall be treated as meeting the requirements of subsection (a)(1) only if such law provides that an employer's account shall not be relieved of charges relating to a payment from the State unemployment fund if the State agency determines that—

''(A) the payment was made because the employer, or an agent of the employer, was at fault for failing to respond timely or adequately to the request of the agency for information relating to the claim for compensation; and

''(B) the employer or agent has established a pattern of failing to respond timely or adequately to such requests.

''(2) STATE AUTHORITY TO IMPOSE STRICTER STANDARDS.—Nothing in paragraph (1) shall limit the authority of a State to provide that an employer's account not be relieved of charges relating to a payment from the State unemployment fund for reasons other than the reasons described in subparagraphs (A) and (B) of such paragraph, such as after the first instance of a failure to respond timely or adequately to requests described in paragraph (1)(A).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to erroneous payments established after the end of the 2-year period beginning on the date of the enactment of this Act.

(2) AUTHORITY.—A State may amend its State law to apply such amendments to erroneous payments established prior to the end of the period described in paragraph (1).

SEC. 253. REPORTING OF REHIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES.

(a) DEFINITION OF NEWLY HIRED EMPLOYEE.—Section 453A(a)(2) of the Social Security Act (42 U.S.C. 653a(a)(2)) is amended by adding at the end the following:

''(C) NEWLY HIRED EMPLOYEE.—The term 'newly hired employee' means an employee who—

''(i) has not previously been employed by the employer; or

''(ii) was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall take effect 6 months after the date of the enactment of this Act.

(2) COMPLIANCE TRANSITION PERIOD.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan under part D of title IV of the Social Security Act to meet the additional requirement imposed by the amendment made by subsection (a), the plan shall not be regarded as failing to meet such requirement before the first day of the second calendar quarter beginning after the close of the first regular session of the State legislature that begins after the effective date of such amendment. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

PART II—ADDITIONAL OFFSETS

SEC. 261. IMPROVEMENTS TO CONTRACTS WITH MEDICARE QUALITY IMPROVEMENT ORGANIZATIONS (QIOS) IN ORDER TO IMPROVE THE QUALITY OF CARE FURNISHED TO MEDICARE BENEFICIARIES.

(a) AUTHORITY TO CONTRACT WITH A BROAD RANGE OF ENTITIES.—

(1) DEFINITION.—Section 1152 of the Social Security Act (42 U.S.C. 1320c–1) is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) is able, as determined by the Secretary, to perform its functions under this part in a manner consistent with the efficient and effective administration of this part and title XVIII;

''(2) has at least one individual who is a representative of health care providers on its governing body; and''.

(2) NAME CHANGE.—Part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.) is amended—

(A) in the headings for sections 1152 and 1153, by striking ''UTILIZATION AND QUALITY CONTROL PEER REVIEW'' and inserting ''QUALITY IMPROVEMENT'';

(B) in the heading for section 1154, by striking ''PEER REVIEW'' and inserting ''QUALITY IMPROVEMENT''; and

(C) by striking ''utilization and quality control peer review'' and ''peer review'' each place it appears before ''organization'' or ''organizations'' and inserting ''quality improvement''.

(3) CONFORMING AMENDMENTS TO THE MEDICARE PROGRAM.—Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended—

(A) by striking ''utilization and quality control peer review'' and inserting ''quality improvement'' each place it appears;

(B) by striking ''quality control and peer review'' and inserting ''quality improvement'' each place it appears;

(C) in paragraphs (1)(A)(iii)(I) and (2) of section 1842(l), by striking ''peer review organization'' and inserting ''quality improvement organization'';

(D) in subparagraphs (A) and (B) of section 1866(a)(3), by striking ''peer review'' and inserting ''quality improvement'';

(E) in section 1867(d)(3), in the heading, by striking ''PEER REVIEW'' and inserting ''QUALITY IMPROVEMENT''; and

(F) in section 1869(c)(3)(G), by striking ''peer review organizations'' and inserting ''quality improvement organizations''.

(b) IMPROVEMENTS WITH RESPECT TO THE CONTRACT.—

(1) FLEXIBILITY WITH RESPECT TO THE GEOGRAPHIC SCOPE OF CONTRACTS.—Section 1153 of the Social Security Act (42 U.S.C. 1320c–2) is amended—

(A) by striking subsection (a) and inserting the following new subsection:

''(a) The Secretary shall establish throughout the United States such local, State, regional, national, or other geographic areas as the Secretary determines appropriate with respect to which contracts under this part will be made.'';

(B) in subsection (b)(1), as amended by subsection (a)(2)—

(i) in the first sentence, by striking ''a contract with a quality improvement organization'' and inserting ''contracts with one or more quality improvement organizations''; and

(ii) in the second sentence, by striking ''meets the requirements'' and all that follows before the period at the end and inserting ''will be operating in an area, the Secretary shall ensure that there is no duplication of the functions carried out by such organizations within the area'';

(C) in subsection (b)(2)(B), by inserting ''or the Secretary determines that there is a more qualified entity to perform one or more of the functions in section 1154(a)'' after ''under this part'';

(D) in subsection (b)(3)—

(i) in subparagraph (A), by striking '', or association of such facilities,''; and

(ii) in subparagraph (B)—

(I) by striking ''or association of such facilities''; and

(II) by striking ''or associations''; and

(E) by striking subsection (i).

(2) EXTENSION OF LENGTH OF CONTRACTS.—Section 1153(c)(3) of the Social Security Act (42 U.S.C. 1320c–2(c)(3)) is amended—

(A) by striking ''three years'' and inserting ''five years''; and

(B) by striking ''on a triennial basis'' and inserting ''for terms of five years''.

(3) AUTHORITY TO TERMINATE IN A MANNER CONSISTENT WITH THE FEDERAL ACQUISITION REGULATION.—Section 1153 of the Social Security Act (42 U.S.C. 1320c–2) is amended—

(A) in subsection (b), by adding at the end the following new paragraph:

''(4) The Secretary may consider a variety of factors in selecting the contractors that the Secretary determines would provide for the most efficient and effective administration of this part, such as geographic location, size, and prior experience in health care quality improvement. Quality improvement organizations operating as of January 1, 2012, shall be allowed to compete for new contracts (as determined appropriate by the Secretary) along with other qualified organizations and are eligible for renewal of contracts for terms five years thereafter (as determined appropriate by the Secretary).'';

(B) in subsection (c), by striking paragraphs (4) through (6) and redesignating paragraphs (7) and (8) as paragraphs (4) and (5), respectively; and

(C) by striking subsection (d).

(4) ADMINISTRATIVE IMPROVEMENT.—Section 1153(c)(5) of the Social Security Act (42 U.S.C. 1320c–2(c)(5)), as redesignated by this subsection, is amended to read as follows:

''(5) reimbursement shall be made to the organization on a monthly basis, with payments for any month being made consistent with the Federal Acquisition Regulation.''.

(c) AUTHORITY FOR QUALITY IMPROVEMENT ORGANIZATIONS TO PERFORM SPECIALIZED FUNCTIONS AND TO ELIMINATE CONFLICTS OF INTEREST.—Part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.) is amended—

(1) in section 1153—

(A) in subsection (b)(1), as amended by subsection (b)(1)(B), by inserting after the first sentence the following new sentence: ''In entering into contracts with such qualified organizations, the Secretary shall, to the extent appropriate, seek to ensure that each of the functions described in section 1154(a) are carried out within an area established under subsection (a).''; and

(B) in subsection (c)(1), by striking ''the functions set forth in section 1154(a), or may subcontract for the performance of all or some of such functions'' and inserting ''a function or functions under section 1154 directly or may subcontract for the performance of all or some of such function or functions''; and

(2) in section 1154—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking ''Any'' and inserting ''Subject to subsection (b), any''; and

(II) by inserting ''one or more of'' before ''the following functions'';

(ii) in paragraph (4), by striking subparagraph (C);

(iii) by inserting after paragraph (11) the following new paragraph:

''(12) As part of the organization's review responsibility under paragraph (1), the organization shall review all ambulatory surgical procedures specified pursuant to section 1833(i)(1)(A) which are performed in the area, or, at the discretion of the Secretary, a sample of such procedures.''; and

(iv) in paragraph (15), by striking ''significant on-site review activities'' and all that follows before the period at the end and inserting ''on-site review activities as the Secretary determines appropriate''.

(B) by striking subsection (d) and redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following new subsection:

''(b) A quality improvement organization entering into a contract with the Secretary to perform a function described in a paragraph under subsection (a) must perform all of the activities described in such paragraph, except to the extent otherwise negotiated with the Secretary pursuant to the contract or except for a function for which the Secretary determines it is not appropriate for the organization to perform, such as a function that could cause a conflict of interest with another function.''.

(d) QUALITY IMPROVEMENT AS SPECIFIED FUNCTION.—Section 1154(a) of the Social Security Act (42 U.S.C. 1320c–3(a)) is amended by adding at the end the following new paragraph:

''(18) The organization shall perform, subject to the terms of the contract, such other activities as the Secretary determines may be necessary for the purposes of improving the quality of care furnished to individuals with respect to items and services for which payment may be made under title XVIII.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts entered into or renewed on or after January 1, 2012.

SEC. 262. RATES FOR MERCHANDISE PROCESSING FEES.

(a) FEES FOR PERIOD FROM JULY 1, 2014, TO NOVEMBER 30, 2015.—For the period beginning on July 1, 2014, and ending on November 30, 2015, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(1) in subparagraph (A), by substituting ''0.3464'' for ''0.21''; and

(2) in subparagraph (B)(i), by substituting ''0.3464'' for ''0.21''.

(b) FEES FOR PERIOD FROM OCTOBER 1, 2016, TO SEPTEMBER 30, 2019.—For the period beginning on October 1, 2016, and ending on September 30, 2019, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(1) in subparagraph (A), by substituting ''0.1740'' for ''0.21''; and

(2) in subparagraph (B)(i), by substituting ''0.1740'' for ''0.21''.

SEC. 263. TIME FOR REMITTING CERTAIN MERCHANDISE PROCESSING FEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, any fees authorized under paragraphs (9) and (10) of section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a) (9) and (10)) with respect to processing merchandise entered on or after October 1, 2012, and before November 12, 2012, shall be paid not later than September 25, 2012, in an amount equivalent to the amount of such fees paid by the person responsible for such fees with respect to merchandise entered on or after October 1, 2011, and before November 12, 2011, as determined by the Secretary of the Treasury.

(b) RECONCILIATION OF MERCHANDISE PROCESSING FEES.—

(1) IN GENERAL.—Not later than December 12, 2012, the Secretary of the Treasury shall reconcile the fees paid pursuant to subsection (a) with the fees for services actually provided on or after October 1, 2012, and before November 12, 2012.

(2) REFUNDS OF OVERPAYMENTS.—

(A) After making the reconciliation required under paragraph (1), the Secretary of the Treasury shall refund with interest any overpayment of such fees made under subsection (a) and make proper adjustments with respect to any underpayment of such fees.

(B) No interest may be assessed with respect to any such underpayment that was based on the amount of fees paid for merchandise entered on or after October 1, 2012, and before November 12, 2012.

SA 634. Mr. CORNYN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SALE OF F–16 AIRCRAFT TO TAIWAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense, in its 2011 report to Congress on ''Military and Security Developments Involving the People's Republic of China,'' found that ''China continued modernizing its military in 2010, with a focus on Taiwan contingencies, even as cross-Strait relations improved. The PLA seeks the capability to deter Taiwan independence and influence Taiwan to settle the dispute on Beijing's terms. In pursuit of this objective, Beijing is developing capabilities intended to deter, delay, or deny possible U.S. support for the island in the event of conflict. The balance of cross-Strait military forces and capabilities continues to shift in the mainland's favor.'' In this report, the Department of Defense also concludes that, over the next decade, China's air force will remain primarily focused on ''building the capabilities required to pose a credible military threat to Taiwan and U.S. forces in East Asia, deter Taiwan independence, or influence Taiwan to settle the dispute on Beijing's terms''.

(2) The Defense Intelligence Agency (DIA) conducted a preliminary assessment of the status and capabilities of Taiwan's air force in an unclassified report, dated January 21, 2010. The DIA found that, ''[a]lthough Taiwan has nearly 400 combat aircraft in service, far fewer of these are operationally capable.'' The report concluded, ''Many of Taiwan's fighter aircraft are close to or beyond service life, and many require extensive maintenance support. The retirement of Mirage and F–5 aircraft will reduce the total size of the Taiwan Air Force.''

(3) Since 2006, authorities from Taiwan have made repeated requests to purchase 66 F–16C/D multirole fighter aircraft from the United States, in an effort to modernize the air force of Taiwan and maintain its self-defense capability.

(4) According to a report by the Perryman Group, a private economic research and analysis firm, the requested sale of F–16C/Ds to Taiwan ''would generate some $8,700,000,000 in output (gross product) and more than 87,664 person-years of employment in the US,'' including 23,407 direct jobs, while ''economic benefits would likely be realized in 44 states and the District of Columbia''.

(5) The sale of F–16C/Ds to Taiwan would both sustain existing high-skilled jobs in key United States manufacturing sectors and create new ones.

(6) On August 1, 2011, a bipartisan group of 181 members of the House of Representatives sent a letter to the President, expressing support for the sale of F–16C/Ds to Taiwan. On May 26, 2011, a bipartisan group of 45 members of the Senate sent a similar letter to the President, expressing support for the sale. Two other members of the Senate wrote separately to the President or the Secretary of State in 2011 and expressed support for this sale.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a critical element to maintaining peace and stability in Asia in the face of China's two-decade-long program of military modernization and expansion of military capabilities is ensuring a militarily strong and confident Taiwan;

(2) a Taiwan that is confident in its ability to deter Chinese aggression will increase its ability to proceed in developing peaceful relations with China in areas of mutual interest;

(3) the cross-Strait military balance between China and our longstanding strategic partner, Taiwan, has clearly shifted in China's favor;

(4) China's military expansion poses a clear and present danger to Taiwan, and this threat has very serious implications for the ability of the United States to fulfill its security obligations to allies in the region and protect our vital United States national interests in East Asia;

(5) Taiwan's air force continues to deteriorate, and it needs additional advanced multirole fighter aircraft in order to modernize its fleet and maintain a sufficient self-defense capability;

(6) the United States has a statutory obligation under the Taiwan Relations Act (22 U.S.C. 3301 et seq.) to provide Taiwan the defense articles necessary to enable Taiwan to maintain sufficient self-defense capabilities, in furtherance of maintaining peace and stability in the western Pacific region;

(7) in order to comply with the Taiwan Relations Act, the United States must provide Taiwan with additional advanced multirole fighter aircraft, as well as significant upgrades to Taiwan's existing fleet of multirole fighter aircraft; and

(8) the proposed sale of F–16C/D multirole fighter aircraft to Taiwan would have significant economic benefits to the United States economy.

(c) SALE OF AIRCRAFT.—The President shall carry out the sale of no fewer than 66 F–16C/D multirole fighter aircraft to Taiwan.

SA 635. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109–416); which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

SEC. 3. FUNDING.

Notwithstanding any other provision of law, the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health, may continue to fund programs authorized under part R of title III of the Public Health Service Act (42 U.S.C. 280i et seq.) using funds otherwise available to the Secretary or the Directors, and shall identify and consolidate duplicative and overlapping autism programs and initiatives throughout the Federal Government.

SA 636. Mr. CARDIN (for himself, Mr. SCHUMER, and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following new title:

TITLE _____—MODIFICATION OF WOOL TRUST FUND

SEC. ___01. MODIFICATION OF WOOL APPAREL MANUFACTURERS TRUST FUND.

(a) IN GENERAL.—Section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429; 118 Stat. 2600) is amended—

(1) in subparagraph (A), by striking ''subject to the limitation in subparagraph (B)'' and inserting ''subject to subparagraphs (B) and (C)''; and

(2) by adding at the end the following new subparagraph:

''(C) ALTERNATIVE FUNDING SOURCE.—Subparagraph (A) shall be applied and administered by substituting 'chapter 62' for 'chapter 51' for any period of time with respect to which the Secretary notifies Congress that amounts determined by the Secretary to be equivalent to amounts received in the general fund of the Treasury of the United States that are attributable to the duty received on articles classified under chapter 51 of the Harmonized Tariff Schedule of the United States are not sufficient to make payments under paragraph (3) or grants under paragraph (6).''.

(b) FULL RESTORATION OF PAYMENT LEVELS IN CALENDAR YEARS 2010 AND 2011.—

(1) TRANSFER OF AMOUNTS.—

(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury shall transfer to the Wool Apparel Manufacturers Trust Fund, out of the general fund of the Treasury of the United States, amounts determined by

the Secretary of the Treasury to be equivalent to amounts received in the general fund that are attributable to the duty received on articles classified under chapter 51 or chapter 62 of the Harmonized Tariff Schedule of the United States (as determined under section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429; 118 Stat. 2600)), subject to the limitation in subparagraph (B).

(B) LIMITATION.—The Secretary of the Treasury shall not transfer more than the amount determined by the Secretary to be necessary for—

(i) U.S. Customs and Border Protection to make payments to eligible manufacturers under section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amount of such payments, when added to any other payments made to eligible manufacturers under section 4002(c)(3) of such Act for calendar years 2010 and 2011, equal the total amount of payments authorized to be provided to eligible manufacturers under section 4002(c)(3) of such Act for calendar years 2010 and 2011; and

(ii) the Secretary of Commerce to provide grants to eligible manufacturers under section 4002(c)(6) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amounts of such grants, when added to any other grants made to eligible manufacturers under section 4002(c)(6) of such Act for calendar years 2010 and 2011, equal the total amount of grants authorized to be provided to eligible manufacturers under section 4002(c)(6) of such Act for calendar years 2010 and 2011.

(2) PAYMENT OF AMOUNTS.—U.S. Customs and Border Protection shall make payments described in paragraph (1) to eligible manufacturers not later than 30 days after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund. The Secretary of Commerce shall promptly provide grants described in paragraph (1) to eligible manufacturers after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund.

(c) RULE OF CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the availability of amounts transferred to the Wool Apparel Manufacturers Trust Fund before the date of the enactment of this Act.

(d) CONFORMING AMENDMENTS.—Title IV of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429; 118 Stat. 2600) is amended by striking ''Bureau of Customs and Border Protection'' each place it appears and inserting ''U.S. Customs and Border Protection''.

(e) DISCRETIONARY AUTHORITY.—

(1) IN GENERAL.—Section 4002(c)(3) of Public Law 108–429 is amended by inserting ''(or to protect domestic manufacturing employment, and at the sole discretion of the U.S. Customs and Border Protection, no later than April 15)'' after ''March 1 of the year of the payment''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall be effective for payment year 2011 and thereafter.

SA 637. Mr. BINGAMAN (for himself, Mr. AKAKA, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 65, strike line 21 and all that follows through page 66, line 6, and insert the following:

(a) FEES FOR PERIOD FROM OCTOBER 1, 2011, TO NOVEMBER 30, 2015.—

(1) IN GENERAL.—For the period beginning on October 1, 2011, and ending on November 30, 2015, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(A) in subparagraph (A), by substituting ''0.3474'' for ''0.21''; and

(B) in subparagraph (B)(i), by substituting ''0.3474'' for ''0.21''.

(2) AVAILABILITY OF FUNDS FOR TRADE ENFORCEMENT.—Of the amount of fees received under section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) for the period beginning October 1, 2011, and ending December 31, 2014, not to exceed $15,000,000 shall be available to the Office of the United States Trade Representative until December 31, 2014, for activities relating to trade enforcement.

SA 638. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—MISCELLANEOUS

SEC. 301. REPORTS ON ECONOMIC AND EMPLOYMENT IMPACT OF FREE TRADE AGREEMENTS.

Not later than 10 years after the date of the enactment of this Act, and every 10 years thereafter, the United States International Trade Commission shall submit to Congress a report on the impact of free trade agreements to which the United States is a party on the economy of, and employment in, the United States.

SA 639. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE ____—CITRUS DISEASE RESEARCH AND DEVELOPMENT

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Citrus Disease Research and Development Trust Fund Act of 2011''.

SEC. ____02. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) duties collected on imports of citrus and citrus products have ranged from $50,000,000 to $87,000,000 annually since 2004, and are projected to increase, as United States production declines due to the effects of huanglongbing (also known as ''HLB'' or ''citrus greening disease'') and imports increase in response to the shortfall in the United States;

(2) in cases involving other similarly situated agricultural commodities, notably wool, the Federal Government has chosen to divert a portion of the tariff revenue collected on imported products to support efforts of the domestic industry to address challenges facing the industry;

(3) citrus and citrus products are a highly nutritious and healthy part of a balanced diet;

(4) citrus production is an important part of the agricultural economy in Florida, California, Arizona, and Texas;

(5) in the most recent years preceding the date of enactment of this Act, citrus fruits have been produced on 900,000 acres, yielding 11,000,000 tons of citrus products with a value at the farm of more than $3,200,000,000;

(6) the commercial citrus sector employs approximately 110,000 people and contributes approximately $13,500,000,000 to the United States economy;

(7) the United States citrus industry has suffered billions of dollars in damage from disease and pests, both domestic and invasive, over the decade preceding the date of enactment of this Act, particularly from huanglongbing;

(8) huanglongbing threatens the entire United States citrus industry because the disease kills citrus trees;

(9) as of the date of enactment of this Act, there are no cost effective or environmentally sound treatments available to suppress or eradicate huanglongbing;

(10) United States citrus producers working with Federal and State governments have devoted tens of millions of dollars toward research and efforts to combat huanglongbing and other diseases and pests, but more funding is needed to develop and commercialize disease and pest solutions;

(11) although imports constitute an increasing share of the United States market, importers of citrus products into the United States do not directly fund production research in the United States;

(12) disease and pest suppression technologies require determinations of safety and solutions must be commercialized before use by citrus producers;

(13) the complex processes involved in discovery and commercialization of safe and effective pest and disease suppression technologies are expensive and lengthy and the need for the technologies is urgent; and

(14) research to develop solutions to suppress huanglongbing, or other domestic and invasive pests and diseases will benefit all citrus producers and consumers around the world.

(b) PURPOSES.—The purposes of this Act are—

(1) to authorize the establishment of a trust funded by certain tariff revenues to support scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States; and

(2) to require the President to notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before entering into any trade agreement that would decrease the amount of duties collected on imports of citrus products to less than the amount necessary to provide the grants authorized by section 1001(d) of the Trade Act of 1974, as added by section 3(a) of this Act.

(c) EFFECT ON OTHER ACTIVITIES.—Nothing in this Act restricts the use of any funds for scientific research and technical activities in the United States.

SEC. ____03. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2102 et seq.) is amended by adding at the end the following:

''TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

''SEC. 1001. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the 'Citrus Disease Research and Development Trust Fund' (in this section referred to as the 'Trust Fund'), consisting of such amounts as may be transferred to the Trust Fund under subsection (b)(1) and any amounts that may be credited to the Trust Fund under subsection (d)(2).

''(b) TRANSFER OF AMOUNTS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary of the Treasury shall transfer to the Trust Fund amounts that are attributable to the duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States.

''(2) LIMITATION.—The amount transferred to the Trust Fund under paragraph (1) in any fiscal year may not exceed the lesser of—

''(A) an amount equal to ⅓ of the amount attributable to the duties received on articles described in paragraph (1); or

''(B) $30,000,000.

''(c) AVAILABILITY OF AMOUNTS IN TRUST FUND.—

''(1) AMOUNTS AVAILABLE UNTIL EXPENDED.—Amounts in the Trust Fund shall remain available until expended without further appropriation.

''(2) AVAILABILITY FOR CITRUS DISEASE RESEARCH AND DEVELOPMENT EXPENDITURES.—Amounts in the Trust Fund shall be available to the Secretary of Agriculture—

''(A) for expenditures relating to citrus disease research and development under section ____04 of the Citrus Disease Research and Development Trust Fund Act of 2011, including costs relating to contracts or other agreements entered into to carry out citrus disease research and development; and

''(B) to cover administrative costs incurred by the Secretary in carrying out the provisions of that Act.

''(d) INVESTMENT OF TRUST FUND.—

''(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

''(2) INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

''(e) REPORTS TO CONGRESS.—Not later than January 15, 2013, and each year thereafter until the year after the termination of the Trust Fund, the Secretary of the Treasury, in consultation with the Secretary of Agriculture, shall submit to Congress a report on the financial condition and the results of the operations of the Trust Fund that includes—

''(1) a detailed description of the amounts disbursed from the Trust Fund in the preceding fiscal year and the manner in which those amounts were expended;

''(2) an assessment of the financial condition and the operations of the Trust Fund for the current fiscal year; and

''(3) an assessment of the amounts available in the Trust Fund for future expenditures.

''(f) REMISSION OF SURPLUS FUNDS.—The Secretary of the Treasury may remit to the general fund of the Treasury such amounts as the Secretary of Agriculture reports to be in excess of the amounts necessary to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2011.

''(g) SUNSET PROVISION.—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of the Citrus Disease Research and Development Trust Fund Act of 2011 and all amounts in the Trust Fund on December 31 of that fifth calendar year shall be transferred to the general fund of the Treasury.

''SEC. 1002. REPORTS REQUIRED BEFORE ENTERING INTO CERTAIN TRADE AGREEMENTS.

''The President shall notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than 90 days before entering into a trade agreement if the President determines that entering into the trade agreement could result—

''(1) in a decrease in the amount of duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States; and

''(2) in a decrease in the amount of funds being transferred into the Citrus Disease Research and Development Trust Fund under section 1001 so that amounts available in the Trust Fund are insufficient to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2011.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

''TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

''Sec. 1001. Citrus Disease Research and Development Trust Fund.

''Sec. 1002. Reports required before entering into certain trade agreements.''.

SEC. ____04. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND ADVISORY BOARD.

(a) PURPOSE.—The purpose of this section is to establish an orderly procedure and financing mechanism for the development of an effective and coordinated program of research and product development relating to—

(1) scientific research concerning diseases and pests, both domestic and invasive, afflicting the citrus industry; and

(2) support for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 3(a) of this Act, or through other research projects intended to solve problems caused by citrus production diseases and invasive pests.

(b) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Citrus Disease Research and Development Trust Fund Advisory Board established under this section.

(2) CITRUS.—

(A) IN GENERAL.—The term ''citrus'' means edible fruit of the family Rutaceae, commonly called ''citrus''.

(B) INCLUSION.—The term ''citrus'' includes all citrus hybrids and products of citrus hybrids that are produced for commercial purposes in the United States.

(3) DEPARTMENT.—The term ''Department'' means the Department of Agriculture.

(4) PERSON.—The term ''person'' means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or other legal entity.

(5) PRODUCER.—The term ''producer'' means any person that is engaged in the domestic production and commercial sale of citrus in the United States.

(6) PROGRAM.—The term ''program'' means the citrus research and development program authorized under this section.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(8) TRUST FUND.—The term ''Trust Fund'' means the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section ____3(a) of this title.

(c) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

(2) CITRUS ADVISORY BOARD.—

(A) ESTABLISHMENT AND MEMBERSHIP.—

(i) ESTABLISHMENT.—The Citrus Disease Research and Development Trust Fund Advisory Board shall consist of 9 members.

(ii) MEMBERSHIP.—The members of the Board shall be appointed by the Secretary.

(iii) STATUS.—Members of the Board represent the interests of the citrus industry and shall not be considered officers or employees of the Federal Government solely due to membership on the Board.

(B) DISTRIBUTION OF APPOINTMENTS.—The membership of the Board shall consist of—

(i) 5 members who are domestic producers of citrus in Florida;

(ii) 3 members who are domestic producers of citrus in Arizona or California; and

(iii) 1 member who is a domestic producer of citrus in Texas.

(C) CONSULTATION.—Prior to making appointments to the Board, the Secretary shall consult with organizations composed primarily of citrus producers to receive advice and recommendations regarding Board membership.

(D) BOARD VACANCIES.—

(i) IN GENERAL.—The Secretary shall appoint a new Board member to serve the remainder of a term vacated by a departing Board member.

(ii) REQUIREMENTS.—When filling a vacancy on the Board, the Secretary shall—

(I) appoint a citrus producer from the same State as the Board member being replaced; and

(II) prior to making an appointment, consult with organizations in that State composed primarily of citrus producers to receive advice and recommendations regarding the vacancy.

(E) TERMS.—

(i) IN GENERAL.—Except as provided in clause (ii), each term of appointment to the Board shall be for 5 years.

(ii) INITIAL APPOINTMENTS.—In making initial appointments to the Board, the Secretary shall appoint ⅓ of the members to terms of 1, 3, and 5 years, respectively.

(F) DISQUALIFICATION FROM BOARD SERVICE.—If a member or alternate of the Board who was appointed as a domestic producer ceases to be a producer in the State from which the member was appointed, or fails to fulfill the duties of the member according to the rules established by the Board under paragraph (4)(A)(ii), the member or alternate shall be disqualified from serving on the Board.

(G) COMPENSATION.—

(i) IN GENERAL.—The members of the Board shall serve without compensation, other than travel expenses described in clause (ii).

(ii) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(3) POWERS.—

(A) GIFTS.—The Board may accept, use, and dispose of gifts or donations of services or property.

(B) POSTAL SERVICES.—The Board may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(C) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Board may accept and use the services of volunteers serving without compensation.

(D) TECHNICAL AND LOGISTICAL SUPPORT.—Subject to the availability of funds, the Secretary shall provide to the Board technical and logistical support through contract or other means, including—

(i) procuring the services of experts and consultants in accordance with section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5332 of that title; and

(ii) entering into contracts with departments, agencies, and instrumentalities of the Federal Government, State agencies, and private entities for the preparation of reports, surveys, and other activities.

(E) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(i) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission on a reimbursable or nonreimbursable basis.

(ii) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(F) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Board on a reimbursable basis administrative support and other services for the performance of the duties of the Board.

(G) OTHER DEPARTMENTS AND AGENCIES.—Departments and agencies of the United States may provide to the Board such services, funds, facilities, staff, and other support services as may be appropriate.

(4) GENERAL RESPONSIBILITIES OF THE BOARD.—

(A) IN GENERAL.—The regulations promulgated by the Secretary shall define the general responsibilities of the Board, which shall include the responsibilities—

(i) to meet, organize, and select from among the members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines to be appropriate;

(ii) to adopt and amend rules and regulations governing the conduct of the activities of the Board and the performance of the duties of the Board;

(iii) to hire such experts and consultants as the Board considers necessary to enable the Board to perform the duties of the Board;

(iv) to advise the Secretary on citrus research and development needs;

(v) to propose a research and development agenda and annual budgets for the Trust Fund;

(vi) to evaluate and review ongoing research funded by Trust Fund;

(vii) to engage in regular consultation and collaboration with the Department and other institutional, governmental, and private actors conducting scientific research into the causes or treatments of citrus diseases and pests, both domestic and invasive, so as to—

(I) maximize the effectiveness of the activities;

(II) hasten the development of useful treatments; and

(III) avoid duplicative and wasteful expenditures; and

(viii) to provide the Secretary with such information and advice as the Secretary may request.

(5) CITRUS RESEARCH AND DEVELOPMENT AGENDA AND BUDGETS.—

(A) IN GENERAL.—The Board shall submit annually to the Secretary a proposed research and development agenda and budget for the Trust Fund, which shall include—

(i) an evaluation of ongoing research and development efforts;

(ii) specific recommendations for new citrus research projects;

(iii) a plan for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Trust Fund; and

(iv) a justification for Trust Fund expenditures.

(B) AFFIRMATIVE SUPPORT REQUIRED.—A research and development agenda and budget may not be submitted by the Board to the Secretary without the affirmative support of at least 7 members of the Board.

(C) SECRETARIAL APPROVAL.—

(i) IN GENERAL.—Not later than 60 days after receiving the proposed research and development agenda and budget from the Board and consulting with the Board, the Secretary shall finalize a citrus research and development agenda and Trust Fund budget.

(ii) CONSIDERATIONS.—In finalizing the agenda and budget, the Secretary shall—

(I) due to the proximity of citrus producers to the effects of diseases such as huanglongbing and the quickly evolving nature of scientific understanding of the effect of the diseases on citrus production, give strong deference to the proposed research and development agenda and budget from the Board; and

(II) take into account other public and private citrus-related research and development projects and funding.

(D) REPORT TO CONGRESS.—Each year, the Secretary shall submit to the Committee on Agriculture and the Committee on Ways and Means of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Finance of the Senate a report that includes—

(i) the most recent citrus research and development agenda and budget of the Secretary;

(ii) an analysis of how, why, and to what extent the agenda and budget finalized by the Secretary differs from the proposal of the Board;

(iii) an examination of new developments in the spread and control of citrus diseases and pests;

(iv) a discussion of projected research needs; and

(v) a review of the effectiveness of the Trust Fund in achieving the purpose described in subsection (a).

(6) CONTRACTS AND AGREEMENTS.—To ensure the efficient use of funds, the Secretary may enter into contracts or agreements with public or private entities for the implementation of a plan or project for citrus research.

(d) ADMINISTRATIVE COSTS.—Each fiscal year, the Secretary may transfer up to $2,000,000 of amounts in the Trust Fund to the Board for expenses incurred by the Board in carrying out the duties of the Board.

(e) TERMINATION OF BOARD.—The Board shall terminate on December 31 of the fifth calendar year that begins after the date of enactment of this Act.

SA 640. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. __03. MODIFICATION OF STANDARD FOR PROVISIONS THAT MAY BE INCLUDED IN IMPLEMENTING BILLS.

Section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803(b)), as amended by section __02, is further amended in paragraph (3)(B) by striking clause (ii) and inserting the following:

''(ii) provisions that are necessary to the implementation and enforcement of such trade agreement.''.

SA 641. Mr. HATCH proposed an amendment to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; as follows:

On page 31 of the amendment, between lines 7 and 8, insert the following:

SEC. 231. EFFECTIVE DATE FOR TRADE ADJUSTMENT ASSISTANCE CONTINGENT ON ENACTMENT OF CERTAIN FREE TRADE AGREEMENT IMPLEMENTING BILLS.

Notwithstanding section 201(b) or any other provision of this subtitle, the amendments made by this subtitle shall take effect on the date on which the United States–Korea Free Trade Agreement Implementation Act, the United States–Colombia Trade Promotion Agreement Implementation Act, and the United States–Panama Trade Promotion Agreement Implementation Act have been enacted into law.

SA 642. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 31 of the amendment, between lines 6 and 7, insert the following:

SEC. 224. MODIFICATION OF TRADE ADJUSTMENT ASSISTANCE ELIGIBILITY REQUIREMENTS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272), as amended by section 211(a), is further amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(iii), by striking ''contributed importantly to such workers' separation or threat of separation and to'' and inserting ''was a substantial cause of such workers' separation or threat of separation and of''; and

(B) in subparagraph (B)(ii), by striking ''contributed importantly to'' and inserting ''was a substantial cause of'';

(2) in paragraph (3)(B) of subsection (b), as redesignated by section 211(a), by striking ''contributed importantly to'' and inserting ''was a substantial cause of''; and

(3) in subsection (c), as redesignated and amended by section 211(a), by striking paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(C), by striking ''contributed importantly to such total or partial separation, or threat thereof, and to'' and inserting ''were a substantial cause of such total or partial separation, or threat thereof, and of''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A);

(ii) by striking ''(B)''; and

(iii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left.

(c) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—

(1) IN GENERAL.—Section 292(c)(3) of the Trade Act of 1974 (19 U.S.C. 2401a(c)(3)) is

amended by striking ''contributed importantly to'' and inserting ''was a substantial cause of''.

(2) CONFORMING AMENDMENT.—Section 291 of the Trade Act of 1974 (19 U.S.C. 2401) is amended by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

SA 643. Ms. CANTWELL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following new title:

TITLE____—AFFORDABLE FOOTWEAR

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Affordable Footwear Act of 2011''.

SEC. ____02. FINDINGS.

Congress finds the following:

(1) Average collected duties on imported footwear are among the highest of any product sector, totaling approximately $2,000,000,000 during 2010.

(2) Duty rates on imported footwear are among the highest imposed by the United States Government, with some as high as the equivalent of 67.5 percent ad valorem.

(3) The duties currently imposed by the United States were set in an era during which high rates of duty were intended to protect production of footwear in the United States.

(4) Footwear produced in the United States supplies only about 1 percent of the total United States market for footwear. This production is concentrated in distinct product groupings, which are not affected by the provisions of this title.

(5) Footwear duties, which are higher on lower-price footwear, serve no purpose and are a hidden, regressive tax on those people in the United States least able to pay.

(6) Low- and moderate-income families spend a larger share of their disposable income on footwear than higher-income families.

(7) The outdoor industry develops innovative and high performance footwear that promotes healthy and active lifestyles through outdoor recreation.

SEC. ____03. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) there is no production in the United States of many footwear articles;

(2) the reduction or elimination of duties on such articles will not negatively affect manufacturing or employment in the United States; and

(3) the reduction or elimination of duties on such articles will result in reduced retail prices for a wide range of consumers.

SEC. ____04. AMENDMENT TO THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.

The Additional Notes to chapter 64 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

''5. For the purposes of determining the constituent material of the outer sole pursuant to Note 4(b) of this chapter, the constituent material of an outer sole consisting of rubber or plastics to which textile materials are attached or into which such materials are otherwise incorporated shall be deemed to be only rubber or plastics, and no account shall be taken of the textile materials.''.

SEC. ____05. TEMPORARY ELIMINATION OR REDUCTION OF DUTIES ON CERTAIN FOOTWEAR.

(a) DEFINITIONS.—The U.S. Notes to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

''20. For the purposes of headings 9902.64.25 through 9902.64.58:

''(a) The term 'footwear for men' means footwear of American men's size 6 and larger for males and does not include footwear commonly worn by both sexes.

''(b) The term 'footwear for women' means footwear of American women's size 4 and larger, whether for females or of types commonly worn by both sexes.

''(c)(i) The term 'work footwear' means, in addition to footwear for men or footwear for women having a metal toe-cap, footwear for men or footwear for women that—

''(A) has outer soles of rubber or plastics;

''(B) is of a kind designed for use by persons employed in occupations such as those related to the agricultural, construction, industrial, public safety, or transportation sectors that are not normally worn as casual, dress, or similar lightweight footwear; and

''(C) has special features to protect against hazards in the workplace (such as resistance to chemicals, compression, grease, oil, penetration, slippage, or static-buildup).

''(ii) 'Work footwear' does not cover—

''(A) sports footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like;

''(B) footwear designed to be worn over other footwear;

''(C) footwear with open toes or open heels; or

''(D) footwear (except footwear covered by heading 6401) of the slip-on type or other footwear that is held to the foot without the use of laces or a combination of laces and hooks or other features.

''(d) The term house slippers means footwear of the slip-on type designed solely for casual indoor use. The term 'house slippers' includes—

''(i) footwear with outer soles not over 3.5 mm in thickness, consisting of cellular rubber, nongrain leather, or textile material;

''(ii) footwear with outer soles not over 2 mm in thickness consisting of polyvinyl chloride, whether or not backed; and

''(iii) footwear which, when measured at the ball of the foot, has sole components (including any inner and mid-soles) with a combined thickness not over 8 mm as measured from the outer surface of the uppermost sole component to the bottom surface of the outer sole and which, when measured in the same manner at the area of the heel, has a thickness equal to or less than that at the ball of the foot.

''(e) For purposes of subheadings 9902.64.28, 9902.64.32, and 9902.64.51, the dollar amount specified as the value of a good shall be as follows:

''(i) In calendar years 2011 through 2013, $22/pair.

''(ii) In calendar years 2013 through 2016, $24/pair.

''(f) The term waterproof footwear means footwear designed to protect against penetration by water or other liquids, whether or not such footwear is primarily designed for such purposes.''.

(b) AMENDMENTS TO HTS.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new headings:

''	9902.64.25	Vulcanized rubber lug boot bottoms for actual use in fishing waders (provided for in subheading 6401.92.90)	Free	No change	No change	On or before 12/31/2016
	9902.64.26	Sports footwear with outer soles and uppers of rubber or plastics (other than golf shoes), having uppers of which over 90 percent of the external surface area (including any accessories or reinforcements) is rubber or plastics (except footwear having foxing or a foxing-like band applied or molded at the sole and overlapping the upper); the foregoing not including footwear for women (provided for in subheading 6402.19.15)	Free	No change	No change	On or before 12/31/2016
	9902.64.27	Footwear (other than work footwear or footwear designed to be worn over or in lieu of other footwear as a protection against water, oil, grease or chemicals, or cold or inclement weather) with outer soles and uppers of rubber or plastics, covering the ankle, not incorporating a protective metal toe-cap, having uppers of which over 90 percent of the external surface area is rubber or plastics (provided for in subheading 6402.91.40)	Free	No change	No change	On or before 12/31/2016

9902.64.28	Footwear (other than vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles and uppers of rubber or plastics, valued over the dollar amount specified in U.S. Note 20(e) to this chapter, whose height from the bottom of the outer sole to the top of the upper does not exceed 20.32 cm if for men or women or does not exceed 17.78 cm if for persons other than men or women, designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather, and where such protection includes protection against water imparted by the use of a coated or laminated fabric (provided for in subheading 6402.91.50)	Free	No change	No change	On or before 12/31/2016
9902.64.29	Footwear (other than work footwear) with outer soles and uppers of rubber or plastics, covering the ankle, for men or women, such footwear which from the bottom of the outer sole to the top of the upper does not exceed 13 cm or which exceeds 21 cm, or regardless of height is slip-on footwear (provided for in subheading 6402.91.90)	Free	No change	No change	On or before 12/31/2016
9902.64.30	Tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.91.90)	Free	No change	No change	On or before 12/31/2016
9902.64.31	Footwear with outer soles and uppers of rubber or plastic, not covering the ankle, other than work footwear or house slippers (provided for in subheading 6402.99.31)	Free	No change	No change	On or before 12/31/2016
9902.64.32	Footwear (other than vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles and uppers of rubber or plastics, valued over the dollar amount specified in U.S. Note 20(e) of this chapter, designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather, and where such protection includes protection against water imparted by the use of a coated or laminated textile fabric (provided for in subheading 6402.99.33)	Free	No change	No change	On or before 12/31/2016
9902.64.33	Footwear with outer soles and uppers of rubber or plastics, other than house slippers (provided for in subheading 6402.99.40)	Free	No change	No change	On or before 12/31/2016
9902.64.34	Footwear with outer soles and uppers of rubber or plastics other than house slippers (provided for in subheading 6402.99.70)	Free	No change	No change	On or before 12/31/2016
9902.64.35	Footwear with outer soles and uppers of leather, covering the ankle, other than footwear for women (provided for in subheading 6403.51.90)	Free	No change	No change	On or before 12/31/2016
9902.64.36	Footwear for men, and footwear for youths and boys, covering the ankle, valued over $12/pair, such footwear which from the bottom of the outer sole to the top of the upper does not exceed 13 cm or which exceeds 21 cm, or regardless of height is waterproof footwear, other than work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, and other than slip-on footwear (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2016
9902.64.37	Slip-on footwear for men and footwear for youths and boys covering the ankle; such footwear with sole components, including any mid-soles but excluding any inner soles, which when measured at the ball of the foot have a combined thickness less than 13.5 mm, the foregoing valued over $20/pair (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2016
9902.64.38	Footwear for men, other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over $12/pair (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2016
9902.64.39	Footwear for youth and boys other than tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2016

9902.64.40	Footwear (other than footwear for men or footwear for youths and boys) covering the ankle, valued over $12/pair, such footwear of a height which from the bottom of the outer sole to the top of the upper does not exceed 13 cm, or which exceeds 21 cm, or regardless of height, is waterproof footwear, or footwear where the difference in height between the bottom of the sole at the ball of the foot to the top of the midsole and from the bottom of the heel to the top of the midsole is over 30 mm, other than work footwear and other than slip-on footwear (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2016
9902.64.41	Slip-on footwear (other than footwear for men or footwear for youths or boys) covering the ankle; such footwear with a heel over 15 mm in height as measured from the bottom of the sole or sole components (including any mid-soles but excluding any inner soles) which when measured at the ball of the foot have a combined thickness less than 13.5 mm, the foregoing valued over $20/pair (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2016
9902.64.42	Footwear for women other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over $12/pair (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2016
9902.64.43	Footwear for persons other than women, other than slip-on footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2016
9902.64.44	Tennis shoes, basketball shoes, gym shoes, training shoes and the like for youths and boys (provided for in subheading 6403.99.60)	Free	No change	No change	On or before 12/31/2016
9902.64.45	Footwear valued over $2.50/pair (other than footwear for men, youths and boys, house slippers, work footwear and other than tennis shoes, basketball shoes, gym shoes, training shoes and the like) (provided for in subheading 6403.99.90)	Free	No change	No change	On or before 12/31/2016
9902.64.46	Sports footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.11.50, 6404.11.60, 6404.11.70 or 6404.11.80)	Free	No change	No change	On or before 12/31/2016
9902.64.47	Sports footwear (other than ski boots, cross country ski footwear and snowboard boots) for persons other than men or women (provided for in subheading 6404.11.90)	Free	No change	No change	On or before 12/31/2016
9902.64.48	Ski boots, cross country ski footwear and snowboard boots for men or women (provided for in subheading 6404.11.90)	Free	No change	No change	On or before 12/31/2016
9902.64.49	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, covering the ankle, for men and women (provided for in subheading 6404.11.90)	Free	No change	No change	On or before 12/31/2016
9902.64.50	Footwear with outer soles of rubber or plastics and uppers of textile materials, having uppers of which over 50 percent of the external surface area is leather (provided for in subheading 6404.19.15)	Free	No change	No change	On or before 12/31/2016
9902.64.51	Footwear (except vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles of rubber or plastics and uppers of textile materials, valued over the dollar amount specified in U.S. Note 20(e) to this chapter, whose height from the bottom of the outer sole to the top of the upper does not exceed 20.32 cm if for men or women, or does not exceed 17.78 cm if for persons other than men or women, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather and where such protection includes protection against water imparted by the use of a coated or laminated fabric (provided for in subheading 6404.19.20)	Free	No change	No change	On or before 12/31/2016
9902.64.52	Footwear for men with outer soles of rubber or plastics and uppers of vegetable fibers, other than house slippers (provided for in subheading 6404.19.25)	Free	No change	No change	On or before 12/31/2016
9902.64.53	Footwear with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.19.35)	Free	No change	No change	On or before 12/31/2016

9902.64.54	Footwear for women, with outer soles of rubber or plastics and uppers of textile materials other than house slippers (provided for in subheading 6404.19.50)	Free	No change	No change	On or before 12/31/2016	
9902.64.55	Footwear with outer soles of rubber or plastics and uppers of textile materials (provided from subheading 6404.19.60, 6404.19.70, 6404.19.80, or 6404.19.90)	Free	No change	No change	On or before 12/31/2016	
9902.64.56	Footwear with uppers of leather or composition leather for men (provided for in subheading 6405.10.00)	Free	No change	No change	On or before 12/31/2016	
9902.64.57	Footwear with uppers of textile materials, other than with soles and uppers of wool felt (provided for in subheading 6405.20.90)	Free	No change	No change	On or before 12/31/2016	
9902.64.58	Footwear not elsewhere provided for in chapter 64 (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2016.	''.

SEC. ___06. EFFECTIVE DATE.

This title and the amendments made by this title shall—

(1) take effect on the 15th day after the date of the enactment of this title; and

(2) apply to articles entered, or withdrawn from warehouse for consumption, on or after such day.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 20, 2011, at 9:30 a.m.

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

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 20, 2011, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tax Reform Options: Incentives for Innovation.''

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Seante, on September 20, 2011, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 20, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on September 20, 2011, at 10 a.m., to conduct a hearing entitled ''New Ideas to Address the Glut of Foreclosed Properties.''

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on September 20, 2011, at 9:30 a.m. in order to conduct a hearing entitled, ''Intelligence Community Contractors: Are We Striking the Right Balance?''

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

PRIVILEGES OF THE FLOOR

Mr. MENENDEZ. Mr. President, I ask unanimous consent that Andi Lipstein Fristedt, a detailee to the Senate HELP Committee, be granted floor privileges for the duration of Senate floor business today.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that the following members of the Finance Committee staff be granted floor privileges during consideration of the Generalized System of Preferences Act: Derrick Riggins, Chris Arneson, Miranda Dalpiaz, Nick Malinak, Cosimo Thawley, Tyler Evilsizer, Stephen McGraw, and Claire Green.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, after consultation with chairman of the Select Committee on Intelligence, and pursuant to provisions of Public Law 107–306, as amended by Public Law 111–259, announces the appointment of the Senator from Indiana, Mr. COATS, to serve as a member of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.

UNANIMOUS CONSENT AGREEMENT—H.R. 2832

Mr. REID. Mr. President, I ask unanimous consent that following morning business tomorrow, Wednesday, September 21, the Senate resume consideration of H.R. 2832, the general trade preference legislation; that following reporting of the bill, Senator MCCAIN or his designee be recognized to call up amendment No. 625; that the time until 12:30 be equally divided between the two leaders or their designees for debate on the McCain and Hatch amendments; further, at 12:30 the Senate proceed to votes in relation to the Hatch amendment No. 641 and McCain amendment No. 625, in that order; that there be 2 minutes equally divided prior to each vote, there be no amendments, points of order, or motions in order to either amendment prior to the votes on the amendment other than budget points of order and the applicable motions to waive; that each amendment be subject to a 60-affirmative-vote threshold.

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

ORDERS FOR WEDNESDAY, SEPTEMBER 21, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, September 21; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for

1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of H.R. 2832, under the previous order.

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

PROGRAM

Mr. REID. Tomorrow there will be two rollcall votes at about 12:30 in relation to the Hatch and McCain amendments.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there be no further business to come before the Senate, I ask unanimous consent we adjourn under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Wednesday, September 21, 2011, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 20, 2011:

THE JUDICIARY

JOHN ANDREW ROSS, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI.

TIMOTHY M. CAIN, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA.

EXTENSIONS OF REMARKS

A TRIBUTE TO VAN HARDEN AND BONNIE LUCAS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Van Harden and Bonnie Lucas of the ''Van and Bonnie in the Morning'' radio show. Van and Bonnie are Iowa radio icons and broadcast their show daily on the legendary Newsradio 1040 WHO. Van and Bonnie are winners of multiple coveted Marconi Awards from the National Association of Broadcasters, including their most recent, which is why I stand before you today. I am honored to announce that Van and Bonnie have been declared the winners of the 2011 ''Personality of the Year Award'' among medium-sized market radio stations by the Marconi Radio Award Selection Academy.

What makes this award so exciting for Van and Bonnie, and for Iowa, is that it exemplifies the rewards of hard work from humble beginnings. Van Harden was raised in Adel, Iowa, where he developed his passion for the intimate Iowa communities that make our state so great. Van knew he wanted to turn his passion into a career by promoting and informing Iowans on the radio. His dream became a reality after graduating from Drake University in 1973, where he majored in broadcast journalism and got his first on-air job with KDLS–AM in Perry, Iowa. After jobs in Tulsa, Oklahoma at KWEN–FM and KRNT–AM in Des Moines, he became the host of the morning program at 1040 WHO–AM in Des Moines in 1986.

Similarly, Van's co-host, Bonnie Lucas of Monroe, Iowa, has been with the WHO morning program for 17 years. Bonnie's first job in radio began in 1979 at KRNT, where she was a former co-worker of Van's. In the seven and a half years Bonnie spent at KRNT, she worked in the traffic department, served as secretary to the General Manager, worked as the Assistant Sales Manager and finally went into sales for KRNT. After Bonnie started her own small fitness center business and worked for a communications company, she tried out for Van's co-host position in August 1994 and has been with the award-winning program ever since.

Van and Bonnie's commitment to Iowa is virtually unparalleled as they are up every morning by 3:30 a.m. to be on the air by 4:59 a.m. They have made a name for themselves as the most listened to morning show in the state and bolstered an already esteemed radio station with their enthusiasm, knowledge, creativity, and family-friendly humor. They do an exceptional job of utilizing WHO's 50,000 watts to connect with each Iowan who tunes in and leave their listeners with a smile as the day begins.

Van and Bonnie have provided years of sunshine to our state's early risers, and I am honored to recognize the most recent affirmation of their stellar broadcasts. I congratulate Van, Bonnie, their correspondent Mark Allen, and all of their coworkers as they continue to wake up Iowa with a smile.

RECOGNITION OF THE 100TH ANNIVERSARY OF THE REPUBLIC OF CHINA'S NATIONAL DAY

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. BOREN. Mr. Speaker, I rise today and ask my colleagues to join me in recognizing an important day for the Republic of China (ROC), National Day, also known as ''Double Ten Day''. On October 10, 1911, the Qing Dynasty collapsed as a result of the Wuchang Uprising and ushered in the beginning of representative government in China. This year, Double Ten Day holds special significance as the Republic of China marks its 100th birthday. This will be a day of great celebration and thanksgiving throughout the country, and I call on my colleagues to join me in offering congratulations and good wishes to President Ma Ying-jeou and the people of Taiwan.

It was under the leadership of Dr. Sun Yat-sen that over two thousand years of dynasties were brought to an end. The past century has seen tremendous growth and development for the Republic of China on Taiwan. It has developed a dynamic democratic system of government, spurred steady economic growth, and encouraged the flourishing of the arts and sciences with an emphasis on free and open dialogue and debate.

Under the leadership of President Ma, Taiwan has continued to strengthen its economy through extensive foreign trade. The United States recently welcomed another Taiwanese agricultural trade mission, which offers the promise of strong export market for our farmers and a steady supply of food supply for the citizens of Taiwan. President Ma has also helped ease tensions with mainland China through economic agreements which have led to benefits for all.

Because of this, I stand today with the people of Taiwan as they celebrate the 100th anniversary of the founding of the Republic of China. May their commitment to freedom and democracy continue to flourish in the decades and centuries to come.

HONORING TREVOR WAYNE PARKER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Trevor Wayne Parker. Trevor is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 303, and earning the most prestigious award of Eagle Scout.

Trevor has been very active with his troop, participating in many scout activities. Over the many years Trevor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Trevor has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Trevor Wayne Parker for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF THE NAMING OF THE MIDPARK POST OFFICE THE DAVID J. DONAFEE POST OFFICE BUILDING

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and memory of David John Donafee, upon the official naming of the Midpark Post Office, the David J. Donafee Building, and in recognition of his service to our community.

Mr. Donafee had longstanding ties within the Cleveland community. The youngest of four siblings, he was born on April 29, 1965, and raised in Brook Park, Ohio. He graduated from Berea High School and Polaris Career Center and went to work as a steelworker prior to his employment with the U.S. Postal Service. Mr. Donafee was tragically killed while delivering mail on his route in Parma Heights, Ohio, on February 14, 2008.

Mr. Donafee's legacy in the Greater Cleveland community, and with his colleagues at the postal service, is that of a genial and positive spirit. In addition to his fourteen years of service to the community through the U.S. Postal service, he was well-known in the local hockey community for his support of and involvement in his children's youth hockey league.

David Donafee was the kind of employee that anyone would have wanted to have as a colleague. He was always on the lookout for ways to help his customers. In the office, he was conscientious and willing to go above and beyond to help fellow employees. With customers and coworkers alike, he was always courteous. He was dedicated to family and friends. What made him unique and set him apart was that, regardless with whom he interacted, he would add a little bit of humor that would make the day a little easier.

Mr. Speaker and colleagues, please join me in honor and memory of David John Donafee, upon the official naming of the Midpark Post Office, the David J. Donafee Building on September 18, 2011. Mr. Donafee's service to his

family, friends, and the community greatly influenced the lives of everyone he has known. He will forever be remembered along the streets of Parma Heights and throughout the Greater Cleveland community.

IN RECOGNITION OF INTERDEPENDENCE DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of the 2011 Interdependence Day, celebrated annually on September 12th. Interdependence Day is a global celebration targeted at raising awareness of the interdependent character of global society.

Interdependence Day began in 2000, when a small group of international artists, political activists and scholars came together and began a dialogue about the possibilities of interdependence between nations. Following the tragic events of September 11, 2011, this small group's idea began an international movement, the Interdependence Movement. Today, the Interdependence Movement is comprised of a global group of citizens known as Citizens without Borders. This group is focused on ''creating a constructive interdependent consciousness that facilitates global cooperation and global governance.''

Every year since the 2003 Interdependence Day celebration in Philadelphia, the world's citizens have come together in Rome, Paris, Morocco, Mexico City, Brussels, Istanbul, Berlin and most recently, New York City. The 2011 Interdependence Day celebration coincided with the 10th anniversary of the events of September 11, 2001 and was especially important to the kick-off of the Interdependence Movement as a year long project.

Mr. Speaker and colleagues, please join me in recognition of the 2011 Interdependence Day, which was celebrated on September 12th in New York City. I wish the Citizens without Borders my best as they strive towards an international community that comes together for global peace and understanding.

ON PALESTINIAN STATEHOOD AND THE U.N. BID FOR RECOGNITION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. KUCINICH. Mr. Speaker, this week, the Palestinian Authority (P.A.) will seek recognition of a Palestinian state on 1967 borders at the United Nations (U.N.) The United States has reportedly given the P.A. private assurances over opposing future Israeli settlement building in the West Bank and has urged the P.A. to return to the negotiating table. Yet the threats by this Congress to cut off aid to the P.A. for making such a move fail to recognize that the efforts of the P.A. to seek recognition from the U.N. and from other states are born directly of the failure of the so-called ''peace process'' that has allowed settlement construction in the West Bank to continue and that threatens to destroy any hope of the very two-state solution we advocate for.

In July, I opposed a one-sided resolution that condemned any attempt by the P.A. to seek recognition from the U.N., but made no mention of the continued settlement building in the West Bank and East Jerusalem that led to the breakdown in negotiations between Israel and the Palestinians. By only holding one side accountable for such unilateral actions, we undermine the very negotiations we claim to support. A just solution and good faith negotiations will not succeed as long as the United States allows settlement building to continue. We cannot be an honest broker or claim to act in Israel's best interests while turning a blind eye to actions that undermine its security.

True, long-term stability and security for Israel is dependent on peace with its Palestinian neighbors. I unequivocally support a negotiated solution to the Israeli-Palestinian conflict. But a just, negotiated solution can only be achieved when both sides are held accountable for actions that undermine the reality of a two-state solution on the ground.

ERNEST HOUSE SR. TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor the former Ute Mountain Ute Tribal leader from the Weeminuche Tribe, Ernest House Sr. Over the past 30 years, his influence, dedication and leadership to the Ute Mountain tribe has grown the tribe's influence in the state of Colorado and in the United States.

Mr. House is the grandson of the Ute Mountain Ute tribe's last hereditary Chief, Chief Jack House. In the last years of Chief Jack House's life, Mr. Ernest House Sr. cared for him, learning much about the tribe's history and potential for future plans.

Mr. House was first elected to the Ute Mountain Tribal Council in 1979. Three years later, Mr. House became chairman for the first time, beginning the first of his four nonconsecutive four-year terms as chairman for the Ute Mountain Tribe—his last term ending in 2010.

As chairman, Mr. House helped the Ute Tribe accomplish several projects that widened the tribe's economic and natural resource development. Between 1986 and 1988, Mr. House worked to complete two major water compacts to provide water throughout the Ute territories. In addition, Mr. House oversaw several building projects, including a tribal health center and casino. In his last term as chairman, Mr. House Sr. focused primarily on tribal safety, widening the Tribe's police force from two officers to more than 12 officers.

On Saturday, Sept. 17, 2011, Mr. House was tragically taken from us after a motorcycle accident outside of Cortez, Colorado.

Mr. Speaker, it is an honor to recognize Mr. Ernest House Sr. His leadership and dedication to the Ute Tribe has benefited thousands, and he will be greatly missed by the Ute Tribe and the state of Colorado.

KEVIN WODLINGER TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Mr. Kevin Wodlinger for his work with the local Colorado Honor Flight Network, an organization that flies veterans to Washington to see the World War II memorial.

The Honor Flight Network was founded in 2005 by retired Air Force Captain and physician assistant Earl Morse. Mr. Morse retired from the United States Air Force in 1998, and recognized the need for an organization to help World War II veterans fly to see their memorial in Washington. In May of 2005, the first World War II veterans were flown from Springfield, Ohio to see their memorial.

When Mr. Wodlinger received news of this organization, he knew he needed to help to get this program to Colorado's Western Slope. In 2009, the first Western Slope Honor Flight took off.

In April of 2011, Mr. Wodlinger was honored with the Red Cross Hero nomination for his efforts to start the Western Slope Honor Flight. After receiving this nomination, Mr. Wodlinger claimed he only wanted to make sure that the World War II veterans from Colorado's Western Slope, the ''real heroes,'' were recognized.

Mr. Speaker, it is an honor to recognize Mr. Kevin Wodlinger. His work with the Honor Flight Network has provided hundreds of World War II heroes the ability to see the memorial America erected in their honor.

TIM JACKSON TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. TIPTON. Mr. Speaker, I rise today to honor Mr. Tim Jackson, president of the Colorado Automobile Dealers Association and advocate for Colorado drivers and Colorado auto dealers.

Mr. Jackson has spent his professional life advocating on behalf of small businesses and Colorado consumers. As the State Director of the National Federation of Independent Business, Mr. Jackson pursued the Colorado legislature on behalf of small businesses.

As President of the Colorado Automobile Dealers Association, Mr. Jackson has urged the Colorado state legislature and the United States Congress to implement policies that help local Colorado new car and truck dealers to maintain their businesses while selling environmentally-safe cars to the Colorado public.

In 2009, Mr. Jackson won the Outstanding Automotive Trade Association Executive from the National Automobile Dealers Association.

Mr. Speaker, it is an honor to recognize Mr. Tim Jackson. The state and people of Colorado are lucky to have such a determined, entrepreneurial-minded leader advocating on their behalf.

HONORING AIMEE SORDELLI FOR RECEIVING THE CHARLES E. PIPER AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Aimee Sordelli, who will receive the 26th Annual Charles E. Piper Award in November. The Charles E. Piper Award is presented by the Berwyn Development Corporation to honor achievement in business and service to the community. Since moving to Berwyn in 1995, Ms. Sordelli has dedicated herself to making the community safer, cleaner, and healthier.

During the past 16 years, Aimee Sordelli has amassed an impressive record of service, including sitting on several boards that strive to improve life for Berwyn citizens. Currently, Ms. Sordelli is Chairwoman of the Cook County Senior Advisory Board. She is also a member of the 708 Mental Health Board and the Main Street Board, as well as a Berwyn Township Trustee. There is scarcely a charitable organization in Berwyn to which she does not lend her time. When she is not volunteering for Earth Day clean ups or the Depot Beautification Campaign, Ms. Sordelli is at meetings for Senior Advocate Health Care, the Berwyn Development Corporation, or the Depot District Special Events Committee. In addition to her charitable endeavors, Aimee Sordelli works as an Operations Manager at the Loyola Marymount Hospital in Maywood, Illinois.

Perhaps even more impressive than the many leadership positions Ms. Sordelli holds in her community is the constant generosity and support she offers her neighbors. Ms. Sordelli once saved the life of her next door neighbor by using a baseball bat to fend off an attacking pit bull. On September 11, 2001, she brought a pot of chili to her local Berwyn fire department. As her own act of remembrance, Ms. Sordelli has made feeding her local first responders an annual event. Today, it is a community wide operation with catered meals for Berwyn firefighters, police, and paramedics. It is not only her illustrious achievements, but also her kind and genuine demeanor that make Aimee Sordelli a citizen worthy of distinction and recognition.

I ask you to join me in honoring Ms. Aimee Sordelli on her selection as the 2011 recipient of the Charles E. Piper Award, and may she continue to make a difference in the lives of her fellow citizens for years to come.

HONORING LT. COL. TERRENCE J. McCOLLUM ON HIS PROMOTION TO THE RANK OF LIEUTENANT COLONEL IN THE UNITED STATES AIR FORCE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to honor an exemplary citizen and Illinois' 3rd District constituent, Lt. Col. Terrence J. McCollum. On June 30th, 2011, then Major McCollum was promoted to the rank of Lieutenant Colonel in the United States Air Force. It is a privilege to recognize his many accomplishments and dedicated service to our country today.

Lt. Col. McCollum began his decorated military career upon graduation from the United States Naval Academy in 1994 with a degree in Oceanography. His academic ambitions led him to George Washington University Law School, where he graduated with a Juris Doctor in 2002. Finally, he earned a Masters degree in Business Administration at Colorado State University in 2011.

Upon graduating from the United States Naval Academy, Lt. Col. McCollum was stationed on the USS Peterson in Norfolk, Virginia as a Naval Officer. He has served on several tours abroad, including a recent tour at Kunsan Air Force Base in Korea. Lt. Col. McCollum has pursued a career geared toward assisting his fellow officers with legal matters. A devoted husband and father to three daughters, Lt. Col. McCollum currently serves as Deputy Staff Judge Advocate for Headquarters at the Joint Base Pearl Harbor-Hickam in Hawaii.

Lt. Col. McCollum's numerous accomplishments include earning a Meritorious Service Medal with three oak leaf clusters, a Joint Service Commendation Medal, a Navy/Marine Corps Commendation Medal, and a Navy/Marine Corps Achievement Medal. Additionally, Lt. Col. McCollum was consecutively named Deputy Staff Judge Advocate of the Year for the 9th Air Force from 2007–2009. These accomplishments and many others speak to Lt. Col. McCollum's commitment to defending the best interests of his colleagues and preserving the security and well-being of our nation.

Lt. Col. Terrence J. McCollum's notable accomplishments, academic achievements, and dedicated service to his country embody what it means to be an exemplary United States citizen. I am proud to count him among the fine citizens of Illinois' 3rd District, and I wish him the best as he continues to proudly serve our country.

TO COMMEMORATE THE LIFE OF GAIL CHATFIELD

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. CARNAHAN. Mr. Speaker, our nation most recently commemorated the tenth anniversary of 9–11; honoring those first responders who risked their lives to save others. Today, I rise to recognize the life of one of Missouri's finest first responders: Gail Chatfield.

Gail Chatfield's life was one of unselfish public service. Gail served our nation in the Armed Services during the Korean War, dedicated his life to ensure others were safe by serving in the St. Louis Fire Department from 1957–79. Gail also was elected to the Missouri General Assembly, representing the citizens of the City of St. Louis; he fought continuously for affordable healthcare for his fellow citizens. Gail's public service did not end there: My father, Governor Mel Carnahan appointed Gail as Missouri's Fire Marshal, serving from 1993–1995. He served on the St. Louis Labor Council (AFL–CIO).

Gail was a leader who led quietly by example. He was competent, determined, and accomplished many great things, especially in the important field of public safety, all done with a sense of duty, purpose and humility.

Gail was a loving husband, father, and grandfather, and great-grandfather. His wife Lois, and their four children Keith, Kathy, Greg, Pamela and the Chatfield grandchildren, great-grandchildren will miss him.

He dedicated his life to helping others whether it was performing his heroics in a fire or working in the Missouri General Assembly helping those less fortunate—Gail was friend to many Missourians. He was friend of mine. I will miss him.

COMMENDING THE FRANCISCAN MISSIONARIES OF OUR LADY

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. ALEXANDER. Mr. Speaker, it is with great pride that I rise today to congratulate the Franciscan Missionaries of Our Lady for their century of faith and service to the State of Louisiana. This honor is shared as many lives have been touched through the three sanitariums operating in our state.

Franciscan Missionaries of Our Lady started in France in 1854 when seven groups of Franciscan sisters banded together. As the organization rapidly grew throughout the world, the first North American expansion happened in 1911 with the healing ministry being established in Monroe, La. Two years later, St. Francis Sanitarium opened in Monroe.

After the first establishment in this city, the Franciscan Missionaries of Our Lady were invited to open two more sanitariums throughout Louisiana: Baton Rouge's Our Lady of the Lake Sanitarium was dedicated in 1923 and Lafayette's Our Lady of Lourdes Hospital in 1949.

Even today, the congregation of the Franciscan Missionaries of Our Lady remains committed to the ministry of healthcare and spiritual wholeness—serving all of God's people.

This organization is an example of how a small founding group can grow to touch the lives of many, and I commend their hard work and dedication to making a positive difference across our state. I ask my colleagues to join me in honoring the Franciscan Missionaries of Our Lady for their century of service.

A TRIBUTE TO THE LIFE OF GABRIEL ''GABE'' TERRONEZ

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. COSTA. Mr. Speaker. I rise today to pay tribute to the life of Mr. Gabriel ''Gabe'' Terronez, who passed away on July 8, 2011 at the age of seventy-one. Gabe was a distinguished boxer, educator, and community leader who always placed the utmost importance on hard work and leading by example. He served as a role model for an entire community and will be deeply missed.

Gabe Terronez was born on March 24, 1940 to Jesus and Paula Terronez in Cameron, Texas. His family settled in the great San Joaquin Valley where his athletic gifts were able to flourish. While a student at Corcoran High School, Gabe earned championships in wrestling and in track. Not only did Gabe possess superior athletic talent, he was also a man of outstanding character.

In 1957, Gabe joined the United States Marine Corps, where he served his Nation proudly. During his time in the Marines, Gabe won the Inter-Service Boxing championship. In 1960, Gabe competed in the Olympic trials and was also a number five world-ranked welterweight with a 32–8 record and 19 knockouts.

Following his seven-year career, Gabe decided to broaden his horizons and pursue an undergraduate degree. He used his earnings from professional boxing to help pay for his college tuition. After attending Fresno City College and California State University, Fresno, Gabe earned a Bachelor's Degree in Spanish.

Gabe spent his adult life serving the public in a number of capacities. Upon graduating from college, he worked for then-governor, Ronald Reagan, as a community relations consultant. Gabe later went on to work for the University of California, focusing his time on migrant and at-risk adolescents as a youth development specialist until his retirement in 1992. Gabe served as an exceptional role model for these young men and women because he was an example of the American Dream. By working hard and showcasing determination in all of his endeavors, Gabe encountered great success in his life.

Gabe was preceded in death by his wife of 25 years, Elizabeth Huerta Terronez. He is survived by his children Stephanie, Dante, Desiree, Damien, and Nicole; his grandchildren Nicholas and Mia Elizabeth; and his siblings, Cecil, Lupe, and Janie.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the life of Gabriel "Gabe" Terronez, an honorable and respected man whose talent and passion were not only exhibited in the boxing ring, but also in his unwavering commitment to our community and his loving family.

RECOGNITION OF EMPLOYEES OF THE OFFICERS AND THE INSPECTOR GENERAL OF THE U.S. HOUSE OF REPRESENTATIVES WITH 25 YEARS OF SERVICE TO THE HOUSE AND RECIPIENTS OF THE HOUSE EMPLOYEE EXCELLENCE AWARD

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise today to congratulate and recognize outstanding employees of the Officers (Clerk of the House, Sergeant at Arms, and Chief Administrative Officer) and the Inspector General of the U.S. House of Representatives who have reached the milestone of 25 years of service to the U.S. House of Representatives, as well as the recipients of the House Employee Excellence Award.

The House's most important asset is its dedicated and exceptional employees, whose work often behind the scenes, is vital in keeping the operations and services of the House running smoothly and efficiently. The employees we recognize today are acknowledged and commended for their hard work, dedication, professionalism, support of House Members and their staffs and constituents, and for their contributions day-in and day-out to the overall operations of the House. These employees have a wide range of responsibilities that support the legislative process, assure the security of the institution, maintain our technology and service infrastructure, and contribute to a more effective and efficiently operating House support structure. They have accomplished a great many things in a wide range of activities, and the House of Representatives and its Members, staff, and the general public, are better served because of them.

We honor the individuals named below for 25 years of dedicated service to the House. Collectively, this group has provided two hundred seventy-five (275) years of service to the U.S. House of Representatives:

Gretchen Ewers, Office of the Chief Administrative Officer;

Kevin Harris, Office of the Chief Administrative Officer;

Darius Holmes, Office of the Sergeant at Arms;

Thomas E. Mako, Office of the Chief Administrative Officer;

Craig D. Pence, Office of the Chief Administrative Officer;

Dean Phan, Office of the Chief Administrative Officer;

Paul Rossiter, Office of the Chief Administrative Officer;

Airlie Shoemaker, Office of the Chief Administrative Officer;

David Sparling, Office of the Chief Administrative Officer;

Matthew B. Smith, Office of the Clerk;

Saundra E. Watkins, Office of the Chief Administrative Officer.

We also recognize and congratulate four House employees for receiving the Employee Excellence Award. This is a merit-based award, given to one employee from each House Officer organization, and the Office of Inspector General. Selected employees exhibited outstanding overall job performance and displayed a willingness to go above and beyond the call of duty throughout the last year. We honor the individuals named below for receiving this prestigious award.

Traci L. Brasher, Office of the Sergeant at Arms;

Faye Cobb, Office of the Chief Administrative Officer;

Michele Herzfeld, Office of the Clerk;

Gregory M. Roberts, Office of Inspector General.

On behalf of the entire House community, I extend congratulations and once again recognize and thank these employees for their professionalism and commitment to the U.S. House of Representatives as a whole, and in particular to their respective House Officers and the Inspector General. Their long hours and hard work are invaluable, and their years of unwavering service, dedication, and commitment to the House set an example for their colleagues and other employees who will follow in their footsteps. I celebrate our honorees, and I am proud to stand before you and the nation on their behalf to recognize the importance of their public service.

KEVIN JEFFERSON

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. HOYER. Mr. Speaker, I rise to honor the memory of Kevin Jefferson, a lifelong community leader and public servant. Through his work on issues from voter registration to gun control community empowerment, and through his service as an Itinerant Elder in the African Methodist Episcopal Church, Kevin made a lasting difference for the better in the time that he was given.

Kevin began his career in public service early as a student at Bowie State, where he played an active role in student life. After serving on Rev. Jesse L. Jackson's Presidential campaign staff in 1984 and 1988, Kevin joined the national staff of the Rainbow/PUSH Coalition, through which he promoted voter registration and education. He went on to become the first National Minority Affairs Coordinator at Handgun Control, Inc., and in this role, traveled the country to help secure support for the Brady Gun Control Bill. His leadership on these important initiatives led to his involvement with President Clinton's Presidential campaign. And in 2000, he was appointed to the Federal Emergency Management Agency, and later held numerous positions at the State Department. Kevin also served as Special Assistant to the Secretary of Labor, Honorable Alexis Herman, and was appointed to the Office of the President, Community Empowerment Board. Throughout his lifetime, Kevin served on a number of Presidential campaigns, worked closely with the DNC and served as the Executive Director of the Democratic National Committee Voting Rights Institute. He is honored and respected by the Democratic Party for his hard work and support.

I join Kevin's family, church and all those who knew and loved Kevin in appreciation for his well-lived life and in fond reflection on his memory. I was proud to count him as a friend, and he will be dearly missed.

HONORING SAN RAFAEL POLICE CHIEF MATTHEW ODETTO

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor the legacy of a passionate and dedicated public servant. San Rafael Police Chief Matthew Odetto announced his retirement in July 2011, the culmination of thirty years of work serving the people and public safety of Marin County. His leadership has touched the lives of countless Mann residents, and his example has helped forge new bonds between our law enforcement organizations and the communities they serve.

Odetto comes from a family with well-established roots in Marin County and in law enforcement. He started his career in 1981 as a deputy with the Marin County Sheriff's Office, based in Southern Marin, where he rose to the rank of Lieutenant. In that position, he served as commander of the Sheriff's SWAT team

and was lead instructor for the Emergency Vehicle Operation Course.

In 2000, Odetto became the Tiburon Chief of Police, a position he held for six years before his appointment as San Rafael Chief of Police in December 2006. Chief Odetto, firmly committed to maintaining services to San Rafael residents in spite of economic difficulties, guided the Police Department as it confronted newly limited resources. He built partnerships with community groups, solicited support from the private sector, and made community policing a priority. He secured new funding sources to ensure that gaps in resources were covered, eventually providing for the return of the Citizen's Academy program, which introduces the public to the work of the San Rafael Police Department and its law enforcement officers.

Mr. Speaker, I ask you to join me in thanking Chief Odetto for his contributions to Marin County. He has set an admirable standard for compassionate and responsive public service, and we wish him the best in his retirement.

HONORING JON D. SPALDING

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. ROGERS of Michigan. Mr. Speaker, I would like to take this time to commend Jon. D. Spalding, an outstanding citizen and business leader from Perry, Michigan. I want to recognize him today as he completes his service as a national officer of the National Association of Professional Insurance Agents. Mr. Spalding also served with distinction a term as President of the association.

Mr. Spalding has distinguished himself throughout his career as a professional insurance agent and he has exhibited only the highest standards of honesty, integrity and professionalism, serving as the President of the Professional Insurance Agents of Michigan.

Jon D. Spalding's tenure as president of PIA National marks the first time in the history of the National Association of Professional Insurance Agents that a father, and then his son, has served as President of the organization. Jon D. Spalding was President of PIA National in 2009–2010; his father, Robert M. Spalding, Sr. served as President of PIA National in 1995–96.

With his years of hard work and dedication Jon D. Spalding has earned the respect and admiration of his many colleagues throughout the insurance industry.

He has embodied the motto of his insurance association, "Local Agents Serving Main Street America." Therefore, I would like to congratulate and commend Jon D. Spalding of Perry, Michigan upon the successful completion of his service as a national officer and as President of the National Association of Professional Insurance Agents.

NATIONAL DAY FOR THE REPUBLIC OF CHINA ON TAIWAN

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. WESTMORELAND. Mr. Speaker, as the Republic of China on Taiwan celebrates the 100th anniversary of their founding, I rise to celebrate their National Day and to commend them for 100 years of progress. As a friend and ally of the United States, the Republic of China on Taiwan is a model for nations around the world: a peaceful and prosperous democracy.

I would like to take a moment and commend the 23 million citizens of Taiwan for their commitment to peace. As a symbol of this commitment, the Republic of China on Taiwan recently melted down artillery shells and used the metal to construct a "peace bell." Given the many struggles and hardships the people of the Republic of China on Taiwan have faced—and the threats they continue to face—they deserve enormous credit for their sustained desire for peace. We celebrate these efforts to maintain good relations with other countries, and the United States is proud to call the Republic of China on Taiwan a partner in peace.

In closing, I hope my colleagues will join me in thanking President Ma, Vice President Siew, and the people of the Republic of China on Taiwan for their continued commitment to peace on this anniversary of their National Day.

INTRODUCTION OF THE FAIR AND EQUITABLE POSTAL SERVICE ACT

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Ms. MOORE. Mr. Speaker, I am pleased to rise with my colleague from Ohio, MARCIA FUDGE, to introduce the "Fair and Equitable Postal Service Act."

We are all concerned about the fiscal crisis facing the United States Postal Service. This summer, the Postal Service released a list of some 3600 post offices, branches, and stations that are under review for closure or consolidation. According to recent testimony by the Government Accountability Office, as many as 12,000 Postal Service retail facilities may be on the chopping block in the next few years.

While Congress gave the Postal Service authority "to determine the need for post offices, postal and training facilities and equipment, and to provide such offices, facilities . . . as it determines are needed," that same charge also requires that postal services be established "of such character and in such locations, that postal patrons throughout the Nation will . . . have ready access to essential postal service."

The legislation we introduce today would give the Postal Service guidance as it works to balance those obligations in a way that ensures that these closures don't fall on the backs of the most vulnerable. It would require the Postal Service, as it considers closures, to specifically examine the needs and impacts of its closures on low-income, elderly, and other populations that have the least means to access alternatives because of limited transportation options and internet access.

For these populations, their local offices provide a range of services that they simply may not have the resources or ability to access elsewhere. The need for this bill was only reinforced yesterday with the release of a Census Bureau report which found that that the poverty rate increased in 2010. There were 46 million people in poverty last year. If you don't have enough money to pay for food and keep the lights on, what are the chances you have the income to pay for broadband to access postal services online?

Further, this legislation would prevent any closures that would have a "disproportionate, unreasonable, or undue burden on these populations." The impetus for this legislation was the proposal by the Postal Service to close 5 out of the 26 retail facilities in the Milwaukee area. Every one of the facilities under review are located in one portion of the city with high rates of poverty. If approved, these closures would effectively cut off postal services for residents in these communities.

Too often decisions like these are driven by only one consideration: cutting costs. This bill sends a message to the Postal Service that it must consider the challenges faced by these populations when access to postal services is reduced.

The Postal Service is a national service. It's trusted by the American public. It offers services that are a vital lifeline for all Americans at all income levels, ages, and stages in life. Congress mandated a nationwide postal service—not a two-tier system where post offices in high income areas are able to keep their lights on while those in inner-city and rural communities slowly fade away. I urge my colleagues to cosponsor this legislation.

HONORING BECHTEL BWXT IDAHO LEGACY AT AMWTP

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. SIMPSON. Mr. Speaker, as a representative of Idaho's Second Congressional District and member of the House Energy and Water Development Subcommittee, it gives me great pleasure to recognize Bechtel BWXT Idaho's exemplary eight year legacy at the Advanced Mixed Waste Treatment Project, AMWTP.

Under BBWI's supervision, AMWTP is the United States Department of Energy's most advanced waste treatment facility, safely and compliantly sending more radioactive waste to the DOE Waste Isolation Pilot Plant for permanent disposal than any other site in the DOE Complex.

The excellence of BBWI and its employees shows through numerous awards ranging from the 2005 Department of Energy Electrical Safety Challenge to the multiple National Safety Awards received in 2010. Employees have worked more than 12.4 million hours and 2,839 days without a lost-time injury and have shipped more than 43,718 cubic meters of transuranic, mixed low level, and low level waste.

BBWI is also an active and involved corporate partner to Idaho. Supporting its community through contributions such as civic, cultural arts, and educational organizations, BBWI helps strengthen the fabric of communities and improve the quality of life for Idahoans.

I am proud to represent AMWTP, a leading corporation in Idaho and for other waste treatment sites across the country.

HONORING MR. CLAUDE DOUTHIT FOR HIS LIFETIME DEDICATION TO THE NORTH SHORE ROAD SETTLEMENT

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor Mr. Claude Douthit for a life dedicated to helping others in Western North Carolina.

Mr. Claude Douthit, a native of Swain County in Western North Carolina, has dedicated hard work and countless hours into the North Shore Settlement. When the federal government purchased 44,000 acres of North Carolina mountain land and built Fontana Dam on the Little Tennessee River to generate hydroelectric power for the war effort, Mr. Douthit, a Tennessee Valley Authority employee, initially favored the building of the road.

The rising waters of Fontana Lake flooded several small communities, forcing more than 200 families out of their homes expecting the government to follow through on its wartime pledge to build a road they could use to reach abandoned home sites and family cemeteries.

Instead, the government delayed, and thirty years later, only 6.2 miles of pavement and a short tunnel had been built at the eastern tip of Fontana Lake. Convinced that the road would never be finished, Mr. Douthit began working for an alternate solution, a cash settlement for Swain County. In 2000 Mr. Douthit and his wife Jean Douthit helped to organize a group called Citizens for the Economic Future of Swain County, gathering support from a broad coalition of conservationists, parks enthusiasts, environmentalists, public officials, and private organizations.

Mr. Douthit was determined to get a settlement for the county and through his hard work and that of the Citizens for the Economic Future of Swain County, an agreement was finally reached in 2010, with the government agreeing to pay $52 million to the county. This settlement agreement will guarantee that Swain County has the resources it needs to thrive and grow for decades to come.

It is an honor to represent selfless, hardworking citizens like Mr. Claude Douthit. His devotion to his community is a great source of pride to me and to Western North Carolina. I ask my colleagues to join me today in recognizing Mr. Claude Douthit for his lasting impact on Swain County.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,729,488,947,751.89.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $4,091,063,201,458.09 since then. This debt and its interest payments we are passing to our children and all future Americans.

TRIBUTE TO THE HONORABLE RICHARD BERDNIK

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. PASCRELL. Mr. Speaker, I would like to call your attention to the achievements of an outstanding individual, Sheriff Richard Berdnik, who will be recognized by the Central of Polish Organizations of Passaic, Clifton and Vicinity on Saturday, September 17, 2011. Sheriff Berdnik has been selected as the Contingent's 2011 Marshal and will lead them in the 74th Annual General Kazimierz Pulaski Memorial Parade in New York City on Sunday, October 2, 2011.

It is only fitting that he be honored in this, the permanent record of the greatest democracy ever known. Richard has been a true public servant, one whose commitment to excellence and integrity has helped to enhance and protect countless lives.

Richard is the son of Bernice and Bazil Berdnik, Polish immigrants who endured the hardship of Stalin's gulags. He is a graduate of both the New Jersey State Police Academy and the prestigious National Academy of the FBI.

Sheriff Berdnik's bravery and involvement in the community make him an esteemed individual among his colleagues as well as the citizens he serves. He has been honored with a number of awards; among them The Meritorious Service Medal he received for his quick and efficient response in apprehending criminals. He is also a ''Life Saving'' Medal recipient, having saved the lives of an elderly person and a child from a burning house.

Sheriff Berdnik is a member of several professional associations, including the FBI National Academy Associates, the New Jersey Honor Legion of Decorated Officers, the Clifton PBA Local 36 and the Passaic County Chiefs of Police Association.

Sheriff Berdnik served as a Police Officer in the City of Clifton for almost 30 years. The knowledge and experience he has acquired has made him not only a great officer, but an outstanding role model to younger police officers. It is his commitment, dedication and ambition that helped him rise through the ranks of the Clifton Police Dept. These same characteristics are what led to his selection as a candidate and his election to the office of Passaic County Sheriff in the November of 2010.

As Sheriff, Richard has been a loyal and energetic leader, and has displayed wisdom and courage in situations requiring strong direction. Sheriff Berdnik demonstrated his leadership during the floods of Hurricane Irene and Tropical Storm Lee. He made Passaic County proud when he recently testified in front of the House Committee on Homeland Security about the need for comprehensive legislation to combat the threat from weapons of mass destruction (WMD).

More than just being a valued leader in the community and honorable public official, he is a beloved husband and father. Richard and his wife, Monica, have been married for over 25 years and have four children: sons, Ryan and Kevin and daughters, Ashley and Alyssa. Ashley is also being honored by the same organization as their Miss Polonia 2011. The Berdnik Family has consistently displayed some of the highest American ideals, among which are courage, determination, and integrity, and I trust he will continue that legacy.

Though the job of a United States Congressman involves much that is rewarding, few experiences compare to meeting, working with and having the honor of recognizing the impressive accomplishments of individuals like Sheriff Richard Berdnik.

Mr. Speaker, I ask that you join our colleagues, the Central of Polish Organizations, the County of Passaic, the Berdnik family, Richard's colleagues and friends in celebrating the great achievements of my friend, Sheriff Richard Berdnik; recognized tonight for his leadership, his loyal service to the public and his celebration of his heritage.

PERSONAL EXPLANATION

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. NADLER. Mr. Speaker, I was unable to be in Washington, DC on September 12, 2011 and September 14–15, 2011. Had I been present, I would have voted ''aye'' on rollcall vote No. 699, the Investigative Assistance for Violent Crimes Act; ''aye'' on rollcall vote No. 700, the Appeal Time Clarification Act of 2011; ''aye'' on rollcall vote No. 701, to protect the safety of judges by extending the authority of the Judicial Conference to redact sensitive information contained in their financial disclosure reports; ''no'' on rollcall vote No. 706, relating to the disapproval of the President's exercise of authority to increase the debt limit; ''no'' on rollcall vote No. 707, on ordering the previous question on the rule for H.R. 2587; ''no'' on rollcall vote No. 708, the rule providing for consideration of H.R. 2587; ''aye'' on rollcall vote No. 709, the United States Commission on International Religious Freedom Reform and Reauthorization Act of 2011; ''aye'' on rollcall vote No. 710, the motion to recommit H.R. 2587; ''no'' on rollcall vote No. 711, final passage of the Protecting Jobs from Government Interference Act.

100TH ANNIVERSARY OF THE FOUNDING OF THE REPUBLIC OF CHINA (TAIWAN)

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, on this 100th anniversary of the founding of the Republic of China (Taiwan), I wish to extend my best wishes to our Taiwanese friends.

Taiwan's continued success and growth into one of the world's most vibrant democracies despite tremendous adversity is a testament to the skill of its leadership and the resolve of its people. Due credit must be given to President Ma Ying-Jeou for his tenacity in advancing the cause of peace in the Asia Pacific region.

It is my greatest hope that Taiwan and its neighbors, in particular the People's Republic of China, will continue to deepen cultural and economic ties to promote lasting peace in the region and in the world.

TAIWAN'S 100TH ANNIVERSARY

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Ms. LORETTA SANCHEZ of California. Mr. Speaker, 100 years ago on October 10, Sun Yat-sen, a Chinese doctor, led his people to overthrow the dynastic rule that governed his people for many centuries.

We have celebrated his achievements and his advocacy of his three principles of the people: Nationalism, Democracy, and the People's Livelihood.

Today, these three principles have been the legacy of Taiwan's President, Ma Ying-jeou, playing an integral role in making the Republic of China (Taiwan) a vibrant democracy and a leading force in today's international community.

We congratulate Taiwan on the historic celebration of their 100th anniversary.

HONORING THE GROUNDBREAKING OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS' CHAPEL IN CAMDEN, NJ

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to honor the Church of Jesus Christ of Latter-day Saints in New Jersey on the occasion of the groundbreaking ceremony for their house of worship. This new building, located in the heart of Camden, will be a welcoming sanctuary, serving the needs of the people of Pennsauken and the City of Camden. Services will be open to the community and bilingual.

The history of the Church of Jesus Christ of Latter-day Saints in New Jersey dates back to the Church's founder, Joseph Smith Jr., who preached here. In 1944, the Church first established a congregation in Camden, where Church members from all over South Jersey gathered to worship. Over the years the Church has grown to fifteen congregations in South Jersey, including two in Camden alone. Members have met in various buildings throughout Camden and in neighboring towns.

This building represents economic opportunity and investment in the City of Camden, as well as spiritual and personal growth for the community members. The chapel will be a gathering place for prayer, study, and service. I hope that this chapel will inspire further development in Camden and that its congregants will continue their good deeds in the region.

Mr. Speaker, the Church of Jesus Christ of Latter-day Saints' commitment to the betterment of the City of Camden should not go unrecognized. I commend them for their hard work within the South Jersey community and congratulate them on the occasion of the groundbreaking of their new chapel.

PROTECTING JOBS FROM GOVERNMENT INTERFERENCE ACT

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 15, 2011

Ms. McCOLLUM. Mr. Speaker, once again this Tea Party Republican majority is determined to ignore the jobs crisis in this country and instead focus the energy and efforts of Congress on busting unions and attacking the federally protected rights of workers to organize. This legislation is a direct assault on workers' rights in order to protect the profits of one corporation—Boeing. This legislation essentially tells 14 million unemployed Americans that their needs are irrelevant as long as there is a CEO in America who wants to crush a union.

The National Labor Relations Act, a Federal law, prohibits a company from taking actions, such as firing an employee or relocating a factory, against workers for exercising federally protected rights that include forming a union or striking. The National Labor Relations Board (NLRB) filed a complaint against Boeing in April 2011, accusing the airline manufacturer of building a plant in South Carolina as retaliation against union employees in Washington State who have engaged in strikes. The Seattle Times quoted one Boeing executive as saying that the main factor for putting the new plant in Charleston, SC was ". . . that we cannot afford to have a work stoppage, you know, every three years."

The legislation on the floor of the U.S. House today, H.R. 2587, is the Tea Party Republican attempt to reward a corporation that breaks the law in order to bust union workers. Rather than negotiate with union workers to reach contract agreements, Boeing built a new $750 million facility in South Carolina. This legislation in essence sanctions any company in America to move their operations to any low-wage location where workers' rights are ignored, whether inside or outside the U.S.

Tea Party Republicans have titled this bill the Protecting Jobs from Government Interference Act, but it really should be called the Busting Unions and Outsourcing Jobs to Protect Corporate Profits Act. It is remarkable that Members of Congress can vote to sanction the export of U.S. jobs to other countries just to ensure corporate friends can squeeze every dollar of profit available out of their low-wage workers. This legislation is truly a betrayal of the American people, but it fits into the alarming trend advocated by Tea Party Republican legislators at the State and Federal level to eliminate worker rights and protections. If their goal is to return to the days of sweatshops and the abuse of workers they are certainly moving in that direction.

I truly hope that every Minnesotan who is a member of a union, retired from a union, or has a loved-one in a union is paying attention to what is happening in America. The corporate elites and the legislators their secret money have paid to elect are destroying workers rights. This U.S. House of Representatives, once known as the People's House, now appears to be owned by corporations. Our democracy is at risk along with the rights of workers and the wages of every middle class American.

This legislation is a harbinger of the battle working people, regular Americans, face as corporations dictate to elected leaders. I oppose H.R. 2587 and I oppose the union busting, anti-working American agenda it represents.

EXPRESSING RESPECT FOR THE DIGNITY OF ALL WORK AND ALL WORKERS

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. INSLEE. Mr. Speaker, in the 1930s, as Americans slowly walked the road to recovery and rebuilt a country ravaged by the Great Depression, workers sought security and stability and unified representation. The National Labor Relations Act outlined the rights of both workers and employers and put forward rules to bring fairness to the union election process. Project labor agreements were established, and the Davis-Bacon Act created prevailing wage requirements. All this in a country still living in the shadow of the largest economic collapse the world had ever known. Our economy rebounded, and the middle class flourished. American manufacturing set the global standard, and much of the work was done by workers who enjoyed the right to collectively bargain with their employer. Our country respected the dignity of all work, and all workers.

Now, in the wake of the worst recession of our lifetime, some leaders appear to be trying to pull the rug from underneath working families who are already on the floor. We have witnessed attacks on collective bargaining rights in the state legislatures of Wisconsin and Ohio, and the repeated attempts of Congress to erode workers' rights. From repealing Davis-Bacon wage requirements to ending the power of regulators to enforce existing labor law, the same workers who made this the wealthiest country on the planet are now at times disparaged and denigrated by some rather than being protected and praised. Workers exercising their right to bargain collectively did not bring us to the brink of another Great Depression. Project labor agreements didn't cause our housing market to collapse. Prevailing wage requirements aren't causing our community banks to fail.

Rather, the protection of workers' rights, such as collective bargaining, has helped to create a strong American middle class, which has in turn spurred the growth of the U.S. economy. Collective bargaining is just that, bargaining. Protecting the rights of employees does not mean handicapping employers, it means respecting the dignity of all work, and all workers. As our country continues to walk the road to recovery, we should be mindful of this example, and we should respect the dignity of the workers who will take us there.

CONGRATULATING CHICAGO IRON & SUPPLIES, INC., AS THE ASHLAND AREA DEVELOPMENT CORPORATION'S 2011 BUSINESS OF THE YEAR

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. DUFFY. Mr. Speaker, I rise today to congratulate Chicago Iron & Supplies, Inc., from my hometown of Ashland, Wisconsin, for being named the 2011 Business of the Year by the Ashland Area Development Corporation.

From what began as a small five-person fur, animal and metals business in the late 19th Century, Chicago Iron & Supplies has transformed into the successful metal company it is today. The Orensten family purchased Chicago Iron in 1957, and their hard work and entrepreneurial spirit is a living example of the American Dream.

Small businesses, like Chicago Iron, are the drivers of our economy and their success is fuel to the economic engine of local communities. For over 50 years, Chicago Iron has been an exemplary small business whose success extends throughout Ashland, creating jobs and work for other local businesses.

Over the last half century, the Orensten family has not only invested in their business, but they have also invested greatly in the community of Ashland. It is my hope that the Orensten family and Chicago Iron & Supplies find continued success for many years to come.

HONORING THE BRAVERY AND HEROIC DEEDS OF IGOR TOBAS

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. COHEN. Mr. Speaker, I rise today to honor the heroic deeds of a young man from Memphis, Tennessee whose quick thinking and courage helped save the life of a child caught in an unfortunate accident. Igor Tobas, 21, was working as a valet at Elfo Grisanti's restaurant on September 10th when he was alarmed by the sounds of a child screaming in agony. Igor quickly rushed to the scene to find that Caleb Roedel, 15, had sustained a severed leg from the knee down after his leg became trapped underneath a slow moving train. Tobas, without delay, tied his belt around Caleb's leg to prevent him from losing blood and he continued to apply pressure to the wound until paramedics arrived on the scene.

The paramedics continued to use Igor's belt until they were able to airlift the child to a local hospital. If it were not for the quick thinking and heroic act of Igor Tobas, Caleb Roedel would possibly not be alive today.

What makes this event so remarkable is not only the quick thinking of Igor but the fact that he does not consider himself to be a hero. When asked about the event, Igor responded by saying that he only did what he could since no one on the scene knew what to do. Even more remarkable, Tobas returned to work after the event even though his arms were still covered in blood after saving a child's life. His boss, Mr. Grisanti, said of Tobas, "the world needs more people like him."

Mr. Speaker, I ask all of my colleagues to join me in honoring the brave actions of Igor Tobas. His actions clearly show that anyone can perform acts of heroism if they simply choose to engage in service to their fellow citizens, regardless of the situation. While Mr. Tobas does not consider himself to be a hero, I think that the family of Caleb Roedel and citizens of Memphis surely do. Thank you, Igor Tobas, for your courage and commitment to protecting the life of a fellow citizen. It is my sincere hope that we can all find it in our hearts to follow your example in the future.

SOUTH ALABAMA HONOR FLIGHT SIX ARRIVES IN WASHINGTON, DC

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. BONNER. Mr. Speaker, it is with great pride that I recognize Honor Flight South Alabama and the World War II veterans this very special organization is bringing on its sixth flight to Washington, DC on September 21, 2011.

Founded by the South Alabama Veterans Council, Honor Flight South Alabama is an organization whose mission is to fly heroes from southwest Alabama to see their national memorial.

Over six decades have passed since the end of World War II and, regrettably, it took nearly this long to complete work on the memorial that honors the spirit and sacrifice of the 16 million who served in the U.S. armed forces and the more than 400,000 who died. Sadly, many veterans did not live long enough to hear their country say "thank you," yet for those veterans still living, Honor Flight provides for many their first—and perhaps only—opportunity to see the National World War II Memorial, which honors their service and sacrifice.

This Honor Flight begins at dawn when the veterans will gather at historic Fort Whiting in Mobile and travel to Mobile Regional Airport to board a chartered flight to Washington. During their time in their nation's capital, the veterans will visit the World War II Memorial, Arlington National Cemetery, and other memorials.

The veterans will return to Mobile Regional Airport that evening, where some 1,000 people are expected to greet them.

Mr. Speaker, the September 21, 2011, journey of heroes from South Alabama is an appropriate time for us to pause and thank them—and all of the soldiers who fought in World War II—for they collectively—and literally—saved the world. They personify the very best America has to offer, and I urge my colleagues to take a moment to pay tribute to their selfless devotion to our country and the freedoms we enjoy.

I salute each of the veterans who made the trip to Washington. May we never forget their valiant deeds and tremendous sacrifices: Clinton Ames, Jr., Curtis Avinger, Robert Bagwell, Elwood Barden, Jack Bayuk, Sidney Biehl, Clarence Blocker, Byron Bower, James Boykin, Donald Brassfield, Robert Brown, James Butcher, John Butt, Leon Cain, Sr., Leo Cain, Sr., Arlee Carmichael, Alfred Chance, John Courtney, Jr., James Crocker, Joseph Croom, John Cunningham, Dr. George Dacovich, Sr., Robert Denniston, Glenn DePorter, Murray Driskell, James Dyess, Sr., James Edwards, Roy Eveland, Wilbur Ferguson, Vaughn Frederick, Dorothy Frost, Edward Gilbert, Jr., Sidney Gillikin, Bobby Graham, William Grimes, Joseph Hanson, George Harrison, Richard Howser, Gary Hunter, Morris Jackson, William Jenkins, Joseph Kress, Phillip Laden, Peter Leonardis, Roger Lewis, Harlan Mahan, Annie Mathews, Joseph Maury, James McArthur, Hezzie McCaughn, Joseph McCorquodale, Lee McCurley, Grover McIlwain, Alney McLean, Alfred Meadows, Jr., Mary Moebius, George Moody, Leon Mote, Warren Nelson, Lionel Noonan, Charles Odom, William Olsen, Sr., Robert Ownby, Hurshel Paul, Walter Pawlak, Hilton Peyregne, Frank Phillips, Jim Rainer, Jefferson Ratcliffe, Sr., Willard Ready, J.C. Reed, William Ross, Wayne Roth, James Santa Cruz, Raymond Scott, James Smith, Jerry Stastka, John Taylor, Thomas Turk, Florian Turla, Clyde Ussery, Alfred Webb, George Weldon, James Wicks, Leroy Williams, James Wright, and Harvey Younce.

RECOGNIZING MOVEMENT IS LIFE

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. FATTAH. Mr. Speaker, I rise today to recognize the 2011 National Caucus on Arthritis and Musculoskeletal Health Disparities and Movement is Life. This body may not know that arthritis is the number one cause of disability in the United States, according to the Centers for Disease Control and Prevention (CDC), affecting 46 million Americans, and costs the U.S economy $128 billion annually in medical costs and lost wages. The burden of arthritis falls more acutely on some members of our population, and African Americans and Latinos, and women of all backgrounds, face more severe osteoarthritis and disability, yet receive less than optimal access to diagnostic, medical, and surgical intervention than do other groups.

Additionally, there is a lack of awareness about the connection between musculoskeletal health disparities, increasing physical inactivity levels, and disparities in chronic diseases such as diabetes, obesity, and heart disease among women, African-Americans and Latinos. The Movement is Life Work Group Caucus has been established, and the second annual meeting is currently underway in Washington, D.C., to develop action plans aimed at reducing musculoskeletal health disparities. By promoting early intervention, the

Caucus seeks to slow musculoskeletal disease progression, reduce disability, and encourage physical activity and daily movement in order to improve the health of those currently disadvantaged as well as the overall health of the nation.

I was introduced to the Movement is Life initiative by its co-chair Dr. Ibrahim; a Core Investigator with the VA Center for Health Equity Research and Promotion, Chief of Medicine at the Philadelphia Medical Center, and Professor and Vice Chair of Medicine at the University of Pennsylvania Perelman School of Medicine. His work on understanding and intervening on racial disparity in access and utilization of joint replacement in the management of knee/hip osteoarthritis provides a national model for advancing health disparities research from first-generation studies that detected disparities in care, to second-generation studies exploring the reasons for these disparities, to the first-ever third-generation intervention trial to reduce well-documented disparity.

I commend Dr. Ibrahim and Movement is Life on their second annual meeting, and for their efforts in creating a dialogue which draws attention to these health disparities that continue to impact our national economy and many lives around the country. I strongly encourage all to discuss musculoskeletal issues with their doctors and to participate in physical activity and daily movement in order to limit the exasperation of related chronic diseases and lead an independent, productive, and healthy lifestyle.

IN HONOR OF THE NEW YORK CITY STREET RENAMING OF EAST 111TH STREET, BEWEEEN 1ST AVENUE AND FRANKLIN D. ROOSEVELT DRIVE AS PHILIP REED WAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. RANGEL. Mr. Speaker, I rise today to celebrate the New York City street renaming of East 111th Street, between 1st Avenue and Franklin D. Roosevelt East River Drive after my beloved friend, political ally, and the late former New York City Council Member Philip Reed. Elected in 1997, Phil represented East Harlem and Manhattan Valley, and parts of the Upper West Side and the South Bronx. He left office in 2005, unable to seek re-election to a third term because of term limits. He was a Democrat, and the first openly gay black member of the City Council. Phil passed away on November 6, 2008, two days after fulfilling his last wish to vote for and witness the election of Barack H. Obama as President of the United States of America.

Born on Feb. 21, 1949, Philip Reed, a New York native, was the son of a black father and a white mother. He and a twin sister, Elinor, were raised by their mother and stepfather, both white, in an upper-middle-class Manhattan world of civil rights activism, prep schools, and Martha's Vineyard. Phil dropped out of Ohio Wesleyan University and received conscientious objector status during the Vietnam War.

Philip Reed began his activism, participating in the Civil Rights Movement, the Free Speech Movement, and the Vietnam War protests, as a student and tennis athlete. He took part in civil disobedience at the University of California, Berkely Campus in Oakland and was arrested. He later became a leader in the Gay Rights Movement and was one of the legendary participants of the Stonewall Riots, which were a series of spontaneous, violent demonstrations against a police raid that took place in the early morning hours of June 28, 1969, at the Stonewall Inn, in the Greenwich Village neighborhood of New York City.

As a local community activist, Phil worked with Central Park West North Block Association, Community Board 7 and the NYPD to rid Central Park North and the surrounding Manhattan Valley neighborhood of drugs, crack cocaine, trafficking and prostitution. He challenged the Community Board and Borough Presidents to bring issues that are more diverse to the board, and increase the number of minority appointments to the Community Board. As a Democratic District Leader, Phil helped to make Three Parks Independent Democratic Club one of the largest and most diverse productive Independent Democratic clubs on the upper West Side Manhattan Valley and city of New York.

As a New York City Councilman, Phil Reed is responsible for authoring and passing historic legislation to ban racial and religious profiling in New York City, the use of cell phones in places of public performances, and predatory lending. As Chair of Consumer Affairs, he created identity theft legislation to protect all New Yorkers and sought to reform and increase vendor licenses for all potential entrepreneurs living in the city. As a member of the Aging Committee, he directed funding to purchase vans, upgrade kitchens and food pantries for senior centers and programs. He renovated libraries to include air conditioning and fought for and secured funding to preserve and expand El Museo Del Barrio, the Metropolitan Museum of Art, and the Museum of the City of New York, which Mayor Giuliani tried to relocate to the Tweed Building in lower Manhattan.

He created cultural pathways along the East 103rd Street Corridor, installed new historic street lamps and poles, planted trees and installed tree guards along the East 116th Street, West 106th Street, East 138th Street and East 106th Street corridors. He led, managed and funded the Frederick Douglass Memorial Circle and West 110th Street Gateway Project and directed funding that increased the number of police emergency call boxes throughout the northern end of Central Park. He funded new technology for computers and science labs for public schools throughout the entire district.

As Member of the Health Committee he protected and preserved HIV/AIDS funding from cuts and made sure those funds were distributed to the areas and agencies in the field that did the work and outreach. He kept the Health Department from closing the 115th Street Community Health Office and dental clinic in East Harlem. He organized one of the largest coalitions to fight against the redevelopment of the 100th Street Bus Depot, and even though the community lost that fight, he made the MTA spend an additional 15 million dollars to add a roof and state of the art ventilation system to enclose and protect asthmatics from diesel fuel exposure. Because of that coalition's fight, the MTA purchased a record number of clean air and hybrid buses. He re-established and nurtured the East Harlem Asthma Working Group and at the urging of Senator Hillary Clinton in 2003, the group held New York City's First Annual Asthma March. Phil's annual asthma symposiums were effective and known throughout the city.

Phil will be greatly remembered for his work to improve, create and refurbish open space and directed most of his capital dollar allotments to the restoration and creation of parks and playgrounds throughout the Eight Council District and beyond, including Hudson River Park, Riverside Park Ball Fields and the Frederick Douglass Memorial Circle. Phil funded a nature pathway boardwalk and bridge on Randall's Island, and today thousands and thousands of public school children from East Harlem and beyond are learning hands-on about nature and their environment through programming through the Randall's Island Sports Foundation.

Parks funded by Philip Reed: Peoples Park and Playground (Mon Haven), Brook Park (Mott Haven), Millbrook Playground (Mott Haven), Happy Warrior Park and Playground (Manhattan Valley), Frederick Douglass Ball Field, Playground and Pool (Manhattan Valley), Riverside Ball Fields (Manhattan Valley/Upper West Side), Broadway Malls & Water Truck (Manhattan Valley/Upper West Side), Booker T. Washington Playground (Manhattan Valley), Thomas Jefferson Ball Fields and Recreation Center (East Harlem), Robert McNair Park and Playground (East Harlem), Central Park Zoo & Tiger Bathrooms (Central Park), Wagner Houses Playground (East Harlem), East 103rd Street Community Garden (East Harlem), 97th Street Park Avenue Mall (East Harlem), Randall's Island's Nature Boardwalk and Pedestrian Bridge (Randall's Island/Ward Island).

Mr. Speaker, please join me, the city of New York and a very grateful Nation as we celebrate the legacy of a true American hero by the street renaming of East 111th Street, between 1st Avenue and Franklin D. Roosevelt East River Drive as ''Philip Reed Way.''

IN RECOGNITION OF THE SERVICE AND RETIREMENT OF ELIZABETH ''LIZ'' DECKER

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. ROGERS of Alabama. Mr. Speaker, I would like to request the House's attention today to recognize the service of a longtime public servant, Mrs. Liz Decker, to Alabama's Third Congressional District.

Liz will retire on September 30, 2011. After working as a packer and fine threads spinner at the Blue Mountain Cotton Mill in Anniston, Alabama, Liz became the church secretary at Gladeview Baptist Church in 1973. In 1977, she worked as an assistant to the Calhoun County Superintendent of Education and in 1981 began her Federal service by working for former Third District Congressman Bill Nichols who served in Congress from 1967 until he passed away in 1988. Since then, Liz has continued working for the Third Congressional District for three more Representatives, including Congressman Glen Browder, Congressman Bob Riley and now in my office. In addition, Liz also was elected to the Board of the

Calhoun County Board of Education for two six-year terms. Liz is married to Ronald Decker.

Liz has served countless East Alabamians through the years, assisting them with any number of concerns they may have had, from the grants process to casework focusing on immigration and Social Security. She is known as a kind and genuine public servant, and a joy to have in the Third District family. She will be missed. Thank you, Liz, for your service to the people of the Third District. On behalf of so many East Alabamians you have helped, we wish you well and congratulate you on your retirement.

THE END OF DON'T ASK, DON'T TELL

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. BLUMENAUER. Mr. Speaker, today, we move one step closer towards full equality by ending the immoral and irresponsible practice of discriminating against courageous Americans who want to serve their country. I am proud to have voted again and again for Don't Ask Don't Tell's repeal because I know—and the military has told us—that ending this policy will strengthen our armed forces.

A comprehensive report from the Defense Department found that of the 400,000 service members and 150,000 military spouses, 70 percent of military personnel thought the repeal would be positive, mixed, or no consequence. This is a remarkable finding, and makes the policy seem all the more indefensible for the more than 14,000 service members who have been discharged.

Brave Americans have served and sacrificed in silence for years while the military enforced a discriminatory and harmful policy. Today this policy is officially a thing of the past, a relic of a different time.

The road to equality is long, winding, and will have many bumps along the way. Today, I have the 14,000 discharged service members in my thoughts as we celebrate the end of an era of discrimination. Tomorrow, we will get back to work, fighting for the Employment and Student Non Discrimination Acts, the Safe Schools Improvement Act, and the Respect for Marriage Act that will overturn DOMA.

CELEBRATING THE 25TH ANNIVERSARY OF WHCR 90.3 FM PUBLIC ACCESS RADIO, ''THE VOICE OF HARLEM''

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. RANGEL. Mr. Speaker, I rise with great jubilation to recognize the WHCR 90.3 FM Public Radio Station, also known as The Voice of Harlem, to recognize the station's twenty-five years of broadcasting in New York City. As I speak with profound elation, I ascend to celebrate the hard work and devout effort of WHCR and the amazing people who have contributed to its success all these years and have truly made it Harlem's Voice. WHCR will commemorate their twenty-five years of broadcasting on Friday, September 16, 2011 at the prestigious Aaron Davis Hall.

In my community of Harlem, WHCR is well known for its service as a non-commercial public radio station. Owned and operated by the City College of New York, WHCR gives both City College students and community members the skills to host and produce music and talk shows. The station seeks to empower its listeners by providing informative, educational and cultural programming that speaks to the diverse populations of Harlem, Upper Manhattan and some sections of the Bronx, Queens, and New Jersey.

People around the world can listen to and watch programming on WHCR online. WHCR offers a mixture of music and talk programming and has 20,000 terrestrial, Internet listeners weekly, and 8,000 Internet viewers. The station has served for twenty-five years as the voice of a community that is greatly underserved by the mainstream media.

On-air personality Dee Ramey, the host and producer of the ''I Love Jazz!'' show on WHCR, is one of those amazing people who have contributed so much. Her show's mission is to drive demand for jazz music, serve as a cultural resource, and connect an increased number of musicians, music presenters, and listeners to community radio, by providing entertainment and information to the growing listenership of WHCR jazz shows. Her valiant efforts have created a new generation of jazz and music connoisseurs in Harlem.

Dee took the initiative to create the first annual ''I Love Jazz'' Fan Award in an effort to further promote music and the arts throughout the greater community of Harlem. It is my honor and privilege to present this year's ''I Love Jazz'' award on behalf of my colleagues in the United States Congress to Kevin Walters, the owner of ''Creole Supper Club,'' located in my District in East Harlem. Kevin is a New Yorker at heart with a strong passion for fine music and art and truly deserving of this recognition.

Dee Ramey's ''I Love Jazz'' radio show airs biweekly on Wednesdays from 6 pm–8 pm and offers an eclectic mix of musical styles. The show unleashes the passion of the jazz fan by inviting individuals to spread their love for jazz through sharing their personal experiences, favorite music, and unique insight into the world of jazz. Interviews with prominent artists and jazz luminaries are a feature on the show, and to name just a few, have included Gradie Tate, Jimmy Heath, Jimmy Scott, Gloria Lynne, Nat Hentoff, Melba Moore, Thelonious Monk, Jr., Wycliffe Gordon, George Gee, Bobby Sanabria, Loren Schoenberg, Billy Mitchell (Mr. Apollo), and Camille Yarbrough.

Mr. Speaker, I urge my colleagues to join me in saluting WHCR 90.3 FM Public Access Radio, on their 25th anniversary.

TRIBUTE TO THE DIXIE BOYS BASEBALL TEAM OF BRUNSWICK COUNTY, NORTH CAROLINA

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. McINTYRE. Mr. Speaker, it is my great pleasure to rise today to recognize the Dixie Boys baseball team of Brunswick County, North Carolina, for being named National Champions of the 2011 Dixie Boys World Series.

This year, the Brunswick County team won every match against the other states without losing a single game. The team went on to win the 2011 Dixie Youth World Series held in Beaufort, South Carolina, earning the title of National Champions on August 3, 2011. This is the fourth time that a North Carolina team has earned this title since 1956.

In a true feat of excellence, the team from Brunswick scored 80 runs during its seven games, and failed to score in the double digits in only two of those seven games. As a team, Brunswick County had a strong batting average of .450, with team member Kevon Perkins leading with an astounding .750 average. With an outstanding number of 80 runs, this team truly deserves acclaim for their remarkable accomplishment in the Dixie Boys World Series.

This was Brunswick County's third consecutive year as North Carolina's representing team for the Dixie Boys World Series. The Brunswick County Team went undefeated for its seven games of play, and showcased an unwavering mental and physical tenacity throughout the Dixie Boys championship. This is especially true for their victory over the reigning champion of the Dixie Boys championship, the same team which defeated North Carolina in the past championship game of two years ago.

As founder of the Congressional Caucus on Youth Sports, and also as both a long-time little league coach and one who grew up playing baseball in, as well as a charter member of a youth baseball organization, I appreciate the dedication, determination, and teamwork that earned these players the esteemed title of National Champions.

Mr. Speaker, the members of the Brunswick County baseball team deserve acclaim for their skill as well as for being outstanding ambassadors of Southeastern North Carolina, and the State of North Carolina. Their names are Gray Cheers, Dylan Howard, Shakeem Graham, Chris Graham, Hunter Price, Justin Wittkofsky, Kevon Perkins, Blain Hollis, Randy Mac Clark, Jerry Martin, Shelton Perkins, Garrett Scoggins and Dylan Darguzas. Coaches were Bobby Scoggins, Randy Fennell and Jeffrey Hollis.

Mr. Speaker, I wish to honor and acknowledge accomplishments of not only the Brunswick County team, but also the parents, relatives and citizens who were so supportive of their children's efforts throughout this championship season. Of equal mention are the coaches and assistant coaches who were instrumental in guiding the team to becoming champions of the Dixie Boys World Series; without these coaches, victory would not have been possible.

Mr. Speaker, I urge my colleagues to join me in congratulating the Brunswick County

Dixie Boys World Series Championship team and wishing them the very best in all of their future endeavors.

IN RECOGNITION OF THE NAACP MID-MANHATTAN BRANCH 45TH ANNIVERSARY OF ITS FOUNDING CHARTER AND IN CELEBRATION OF THEIR 10TH ANNUAL FREEDOM FUND ROY WILKINS AWARD LUNCHEON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. RANGEL. Mr. Speaker, I rise today in recognition of the National Association for the Advancement of Colored People (NAACP) Mid-Manhattan Branch's 45th Anniversary as they celebrate their 10th Annual Freedom Fund Roy Wilkins Award Luncheon on Saturday, September 17 at the elegant Marina del Rey in the Bronx, New York.

In the mid 1960's a group of citizens, concerned that there was no NAACP Branch in the Mid-Manhattan area, met for several months to plan a branch. Over 500 letters cosigned by Roy Wilkins and Ralph Bunche, invited hopefully interested residents to a meeting at Freedom House (120 Wall Street, New York, NY). The meeting began the enrollment of members that continued until the 50-membership requirement for the Charter was obtained. On June 8, 1966, The Mid-Manhattan Branch received its Charter from the National Office of the NAACP.

Among those playing a key role in securing the Charter were Tom Allen, Harold Bailer, Gloster Current, Max Delson, Shirley Stewart Farmer, Bernard Leannan, Stanley Lowell, Morris Milgram, Bill Morrison, Frederick O'Neal, Betty Stebman and Roy Wilkins. In 1973, branch members agreed that a building was needed to maximize the services to the community. On May 25, 1978, Roy Wilkins and Benjamin Hooks dedicated the Roy Wilkins Center Building in a special ceremony.

For forty-five years, the Mid-Manhattan Branch has been an advocate for all its citizens in the struggle for civil rights and equality in playing an active role in confronting the gaps and disparities in healthcare, economics and education funding.

Today, under the leadership of Branch President Geoffrey E. Eaton, the Mid-Manhattan Branch has over 760 members, with ten working Committees—Act-So, Criminal Justice, Civic Engagement, Education, Fundraising, Health, Housing, Membership, Veteran Affairs and Youth Council. The NAACP, under the leadership of our Chairman Roslyn M. Brock, and President Benjamin Todd Jealous is more diverse and more active than before and the Mid-Manhattan Branch continues to be actively and directly involved with voter education, registration and mobilization, as well as youth development and enrichment programs like mentoring and mentorship.

The Mid-Manhattan Branch has brought their informative General Membership meetings closer to the community and to the public at large and are broadcast monthly on Manhattan Neighborhood Network Cable Television (MNN). This year, they held their second annual Criminal Justice forum featuring the U.S. Secret Service, FBI, DEA, ATF, U.S. Marshall Service, NYPD, featuring the role of women in law enforcement at Wadleigh School for the Performing Arts. They are empowering more parents on issues of education and focusing more time on HIV/AIDS Awareness, Obesity and other health concerns. At the 102nd National Convention in Los Angeles, Mid-Manhattan took 2nd Place in the Thalheimer Award competition.

Mr. Speaker, I ask all of my colleagues to join me in saluting all the officers, executive committee and members of the NAACP Mid-Manhattan Branch as they celebrate their 45th Anniversary of their founding Charter and 10th Annual Freedom Fund Roy Wilkins Award Luncheon.

COMMEMORATION OF TAIWAN'S 100TH ANNIVERSARY

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Ms. FOXX. Mr. Speaker, one hundred years is a long time. Much has happened in these last 100 years since a group of Chinese people, led by Sun Yat-sen, threw off the yoke of warlords and emperors to become the Republic of China (Taiwan).

China has a long history as one of the earliest centers of human civilization. It brought us the invention of paper, the written word and so many scientific developments, but it is during these last 100 years that we have seen the great progress of Taiwan developing into one of the strongest democracies in the world.

We congratulate Taiwan on its 100th anniversary and for its role in shaping the destiny of its people. We look forward to continuing Taiwan's partnership with the United States through the Taiwan Relations Act in promoting peace and progress for humanity.

THE ALAMO: THE THERMOPYLAE OF TEXAS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. POE of Texas. Mr. Speaker, a plaque on the Alamo wall states: "The Alamo: The Thermopylae of Texas." The Alamo is a tribute to all those that are defiant against any form of tyranny. It is important for us to recognize all those that sacrificed for freedom, yesterday, today, and tomorrow. Remember who we are and what we stand for. This week, we "Remember the Alamo."

One hundred seventy-five years ago, 187 freedom fighters started assembling in an old beat-up mission in San Antonio. Juan Seguín and his company of Tejanos, rode into the Alamo and readied for battle alongside William Barrett Travis, Jim Bowie, and Davy Crockett. This rag-tag group of relentless patriots, made up of men from nearly every State in the Union and 13 foreign countries, including Mexico, readied for one of the most storied battles in our history.

Outnumbered by an overwhelming Mexican army, these Texas warriors knew that surrender was not an option. Retreat was never on the table. Victory or death.

On February 23, 1836, Santa Ana's army of 1,500 well armed troops unleashed on the defenders of the Alamo. During the siege, Travis sent out his famous call for reinforcements. Juan Seguín was the last messenger to leave, riding though enemy lines carrying the final message from the beleaguered mission. Unfortunately, the call for help was not answered in time. On March 6, 1836, Travis and 187 volunteers sacrificed their lives on the altar of freedom after thirteen glorious days at the Alamo.

It was at his final battle that my favorite Texas war hero, William Barrett Travis, penned the most famous letter in Texas history. From behind the walls of a besieged rundown mission in San Antonio, Travis wrote:

> To the people of Texas and all Americans in the world, fellow citizens and compatriots, I am besieged by a thousand or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours, but I have not lost a man.
>
> The enemy has demanded surrender at its discretion. Otherwise, the fort will be put to the sword. I have answered that demand with a cannon shot. And the flag still waves proudly over the north wall.
>
> I shall never surrender or retreat. I call upon you, in the name of liberty and patriotism and everything dear to the American character, to come to my aid with all dispatch.
>
> If this call is neglected, I am determined to sustain myself for as long as possible, die like a soldier who never forgets what is due his honor and that of his country. Victory or death.

I could read this over and over. As a child, I was so intrigued by this letter. I would always be the first in my class to volunteer to play Travis at any given opportunity, if only just to read his words aloud. To me, he was the ultimate hero.

History teaches us everything we need to know, if we just look. This letter was written nearly two centuries ago and its message still rings true today. It's a story of "liberty and patriotism and everything dear to the American character." Freedom is still worth dying for. And to do so as a soldier, "is what is due his honor and that of his country."

Travis believed these words wholeheartedly. He believed that the cause for independence was worth his life. Our freedom fighters today understand these words as well, they know that America is worth fighting for and that defeat is not an option.

When I visit our troops over in Iraq and Afghanistan, the Texas boys, and gals, are easy to spot. They usually have a Texas flag flying on their humvee. (I have even seen one on a tank.) My personal favorite is the "Don't Mess with Texas" bumper sticker. And when you meet these modern-day freegom fighters, you know that no truer words have ever been spoken. There's just something about a Texas warrior.

As we continue to celebrate the 175th anniversary of Texas Independence this year, I will take a look back at those that put it all on the line for freedom. As much as some things change, the most important, thankfully stays the same. A century and half later, that same dogged determination that filled that little Spanish Mission is what continues to set us apart from all the rest. "God and Texas."—William Barrett Travis.

And that's just the way it is.

HONORING DIONNE WARWICK ON HER 50TH ANNIVERSARY IN THE RECORDING INDUSTRY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. RANGEL. Mr. Speaker, today I rise in recognition of my good friend and outstanding recording artist Dionne Warwick as she proudly celebrates her 50th year in the recording industry.

M. Dionne Warwick has, over an illustrious four-decade career, established herself as an international musical legend. Her reputation as a hit maker has been firmly etched into public consciousness, thanks to nearly 60 charted hits since ''Don't Make Me Over'' began its climb up the charts in December 1962. As a performer, she has charmed and entertained audiences on every continent, amassing a worldwide audience. Dionne received her first Grammy Award in 1968, and in doing so became the first African-American solo female artist of her generation to win the prestigious award for Best Contemporary Female Vocal Performance.

In recent years, Dionne's pioneering efforts have focused on leading the music industry in the fight against AIDS. Her Grammy-winning, chart topping, single ''That's What Friends Are For,'' lead the way by raising, literally, millions of dollars for AIDS research. Throughout the world, Dionne has devoted countless hours to a wide range of humanitarian causes, serving as the U.S. Ambassador for Health throughout the Eighties. In 2002, she was named a global Ambassador for the United Nations' Food and Agriculture Organization. Dionne has spearheaded the long overdue development and production of a history book that will detail African and African-American history for use in schools, libraries, and bookstores throughout the world. She continues her work as a socially conscious and concerned global citizen.

Mr. Speaker, I ask that you and my fellow colleagues join me in celebration for such a national icon. With such a legacy of accomplishments and achievements, there is no question on how she has lasted over 50 years in the music business. As she looks forward to another decade of great music, nothing seems impossible to Dionne, a woman who has inspired and empowered millions through her music, her performances, and her work as a humanitarian.

RECOGNIZING NATIONAL DAY FOR THE REPUBLIC OF CHINA ON TAIWAN

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. LONG. Mr. Speaker, I rise today to honor the people and leaders of the Republic of China on Taiwan as their day of National Celebration, October 10, 2011, approaches. This special day recognizes the founding of the country and this year the anniversary is especially powerful as October 10, 2011 marks the end of a ''Spectacular Century'' and the beginning of another great century for the Republic of China.

I would like to highlight the economic success of the Republic of China on Taiwan over the last century, a success which has rightly been called a miracle. Beginning with very little economic activity just a few decades ago, the Republic of China on Taiwan now has a dynamic economy which is the envy of the world. Moreover, Taiwan has been a fair trading partner; while total trade with the United States reached an all-time high in 2010, almost half of this trade total, $251 billion, was due to the Republic of China importing goods from the United States. In fact, U.S. exports to the Republic of China have grown even during the Great Recession, creating jobs all across America. Our relationship is a model for fair trade between countries benefiting both sides, a model we should highlight here today.

I urge my colleagues to join me in congratulating the people of the Republic of China on Taiwan on their economic success and thanking them for their continued efforts to work with the United States to foster economic growth in our country. When the day of National Celebration arrives, the people of both the United States and the Republic of China on Taiwan have much to celebrate.

224TH ANNIVERSARY OF THE SIGNING OF THE UNITED STATES CONSTITUTION

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. DENHAM. Mr. Speaker, I rise today with my colleague, Mr. NUNES, to commemorate the 224th anniversary of the signing of the United States Constitution on September 17, 1787, in Philadelphia, Pennsylvania.

The signing of the Constitution by thirty-nine delegates to the Constitutional Convention, led by George Washington, represents the formal beginning of our Republic. In conjunction with the Bill of Rights, the Constitution is one of the greatest documents in history, a model for more than 100 governments around the world; what President Lincoln describes in his Gettysburg Address as a ''government of the people, by the people, for the people.''

Mr. Speaker, please join Mr. NUNES and me in celebrating the 224th anniversary of this historic day, and in recognizing the contribution of the U.S. Constitution to American freedom.

HONORING GOLD STAR MOTHER OF CAPTAIN KIMBERLY HAMPTON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. WILSON of South Carolina. Mr. Speaker, I submit the following remarks from Mrs. Ann Hampton, who recently traveled to the Kurdish Region of Iraq. She is the proud Gold Star Mother of Captain Kimberly Hampton, who was killed in action on January 2, 2004, in Fallujah, Iraq.

''My recent trip to the Kurdistan Region of Iraq was everything I hoped it would be, and more! Traveling with another gold star mom and dad, a medically retired soldier, and the founder of the Friends of Kurdistan Foundation, the visit was filled with welcome events. We met several Kurdistan Regional Government officials, who all willingly gave us their undivided attention and treated us graciously. We were told over and over that their nation is our nation, their homes, our homes, and that we share the bonds of friendship forever. Their deep appreciation to the United States for liberating them from Saddam's tyrant regime knows no end. They said thanks.

''We visited hospitals, clinics, and villages in Kurdistan where progress is being made just as there are still hurdles ahead. We visited homes and were welcomed with open arms. We visited the home of a widow who lost 20 family members in one of the regime's chemical attacks. She fed us cantaloupe, bread and water, almost all she had. We visited a camp and were fed peaches and water, almost all they had.

''One very important thing Kurds and other Iraqis do have now is hope; hope for peace, security and maybe one day, prosperity. There was significant construction across Iraqi Kurdistan, which is a good sign that people have risen and taken charge of their freedoms, and serve also as role models to peoples in other countries in the Middle East and North Africa.

''I am very grateful for the opportunity to visit Kurdistan, and hope to go back again to continue my humanitarian work. Seeing and hearing the appreciation of the Kurdish people for the U.S. has made a tremendous impact on my healing, as a proud mother of an American soldier, Kimberly, killed in action liberating Iraq. The only way to move forward is by strengthening people-to-people links between Americans and Iraqis, in and out of government. The people of Kurdistan extended their hand to me, and I am grateful.''

As the co-chairman of the Kurdish Regional Congressional Caucus I have visited the Region, and my oldest son led an Army National Guard convoy through the Region. We share the optimism of Mrs. Hampton that the liberated Kurdish Region of Iraq has a bright future of peace, security, and prosperity as a friend of America.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5731–S5793

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 1579–1585, and S. Res. 272–273. **Page S5773**

Measures Reported:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2012". (S. Rept. No. 112–81)

Measures Considered:

Generalized System of Preferences Act—Agreement: Senate began consideration of H.R. 2832, to extend the Generalized System of Preferences, after agreeing to the motion to proceed, and taking action on the following amendments proposed thereto:

Pages S5739–45, S5750–64

Rejected:

By 45 yeas to 55 nays (Vote No. 141), McConnell Modified Amendment No. 626 (to Amendment No. 633), to provide trade promotion authority for the Trans-Pacific Partnership Agreement and for other trade agreements. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.)

Pages S5739–45, S5752–59, S5763–64

Pending:

Reid (for Casey) Amendment No. 633, to extend and modify trade adjustment assistance.

Pages S5739–45

Hatch Amendment No. 641 (to Amendment No. 633), to make the effective date of the amendments expanding the trade adjustment assistance program contingent on the enactment of the United States-Korea Free Trade Agreement Implementation Act, the United States-Colombia Trade Promotion Agreement Implementation Act, and the United States-Panama Trade Promotion Agreement Implementation Act. **Pages S5759–60**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, September 21, 2011; that following the reporting of the bill, Senator McCain, or his designee, be recognized to call up Amendment No. 625; that the time until 12:30 p.m. be equally divided between the two Leaders, or their designees, for debate on the McCain and Hatch amendments; provided further, that at 12:30 p.m., Senate vote on or in relation to Hatch Amendment No. 641 (listed above), and McCain Amendment No. 625, in that order; that there be two minutes, equally divided, prior to each vote; that there be no amendments, points of order or motions in order to either amendment prior to the votes on the amendments, other than budget points of order and the applicable motions to waive; and that each amendment be subject to a 60 affirmative vote threshold. **Page S5792**

Appointments:

National Commission for the Review of the Research and Development Programs of the United States Intelligence Community: The Chair, on behalf of the Republican Leader, after consultation with the Chairman of the Select Committee on Intelligence, and pursuant to provisions of Public Law 107–306, as amended by Public Law 111–259, announced the appointment of Senator Coats to serve as a member of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.

Page S5792

Nominations Confirmed: Senate confirmed the following nominations:

John Andrew Ross, of Missouri, to be United States District Judge for the Eastern District of Missouri. **Pages S5760–63, S5793**

By a unanimous vote of 99 yeas (Vote No. EX. 140), Timothy M. Cain, of South Carolina, to be United States District Judge for the District of South Carolina. **Pages S5760–63, S5793**

Executive Communications: **Page S5772**

Executive Reports of Committees: **Pages S5772–73**

Additional Cosponsors: **Pages S5773–74**

Statements on Introduced Bills/Resolutions: **Pages S5774–76**

Additional Statements: **Pages S5769–72**

Amendments Submitted: Pages S5776–92

Authorities for Committees to Meet: Page S5792

Privileges of the Floor: Page S5792

Record Votes: Two record votes were taken today. (Total—141) Pages S5763, S5764

Adjournment: Senate convened at 10 a.m. and adjourned at 6:59 p.m., until 9:30 a.m. on Wednesday, September 21, 2011. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S5793.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies approved for full committee consideration an original bill making appropriations for Transportation, Housing and Urban Development, and Related Agencies for fiscal year 2012.

APPROPRIATIONS: LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies approved for full committee consideration an original bill making appropriations for Labor, Health and Human Services, and Education, and Related Agencies for fiscal year 2012.

IRAN

Committee on Armed Services: Committee met in closed session to receive a briefing on Iran from Michele A. Flournoy, Under Secretary for Policy, Admiral James A. Winnefeld, Jr., USN, Vice Chairman, Joint Chiefs of Staff, and Asmar Amir, Colin Kahl, and Jaime Esteva, all of the Defense Intelligence Agency, all of the Department of Defense.

FORECLOSED PROPERTIES

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing, Transportation and Community Development concluded a hearing to examine new ideas to address the glut of foreclosed properties, after receiving testimony from Allan H. Dechert, New Jersey Association of Realtors, Edison; Robert Nielsen, National Association of Home Builders, Washington, D.C.; Chris Krehmeyer, Beyond Housing, St. Louis, Missouri; Laurie S. Goodman, Amherst Securities Group, Austin, Texas; and Stan Humphries, Zillow, Seattle, Washington.

PROMOTING JOB CREATION

Committee on the Budget: Committee concluded a hearing to examine promoting job creation in the United States, after receiving testimony from Alice M. Rivlin, The Brookings Institution, Harry J. Holzer, Georgetown University, and J.D. Foster, The Heritage Foundation, all of Washington, D.C.

TAX REFORM

Committee on Finance: Committee concluded a hearing to examine tax reform options, focusing on incentives for innovation, after receiving testimony from Scott Wallsten, Technology Policy Institute, Washington, D.C.; Michael D. Rashkin, Author of *Practical Guide to Research and Development Tax Incentives: Federal, State, and International*, Saratoga, California; Annette Nellen, San Jose State University College of Business, San Jose, California; and Dirk Pilat, Organization for Economic Cooperation and Development, Paris, France.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

S.1542, to amend part B of title IV of the Social Security Act to extend the child and family services program through fiscal year 2016; and

The nominations of Juan F. Vasquez, of Texas, Joseph H. Gale, of Virginia, and Maurice B. Foley, of Maryland, all to be a Judge of the United States Tax Court, and Janice Eberly, of Illinois, to be Assistant Secretary of the Treasury.

INTELLIGENCE COMMUNITY CONTRACTORS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded open and closed hearings to examine intelligence community contractors, focusing on striking the right balance, after receiving testimony from Daniel I. Gordon, Administrator for Federal Procurement Policy, Office of Management and Budget; Edward L. Haugland, Assistant Inspector General for Inspections, Office of Inspector General, and Paula J. Roberts, Associate Director for Human Capital, and Intelligence Community Chief Human Capital Officer, both of the Office of the Director of National Intelligence; Charles E. Allen, Intelligence and National Security Alliance, Arlington, Virginia; Scott Amey, Project on Government Oversight (POGO), and Joshua Foust, American Security Project (ASP), both of Washington, D.C.; and Mark

M. Lowenthal, The Intelligence and Security Academy, LLC, Reston, Virginia.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Adalberto Jose Jordan, of Florida, to be United States Circuit Judge for the Eleventh Circuit, who was introduced by Senators Nelson (FL) and Rubio, John M. Gerrard, to be United States District Judge for the District of Nebraska, who was introduced by Senators Nelson (NE) and Johanns, Mary Elizabeth Phillips, to be United States District Judge for the Western District of Missouri, who was introduced by Senator McCaskill, Thomas Owen Rice, to be United States District Judge for the Eastern District of Washington, who was introduced by Senator Klobuchar, and David Nuffer, to be United States District Judge for the District of Utah, who was introduced by Senators Hatch and Lee, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 2967–2980; and 4 resolutions, H. Res. 403–404, 407–408 were introduced.

Pages H6271–72

Additional Cosponsors: **Pages H6272–73**

Reports Filed: Reports were filed today as follows:

H. Res. 405, providing for consideration of the Senate amendment to the bill (H.R. 2608) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes (H. Rept. 112–212) and

H. Res. 406, providing for consideration of the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes (H. Rept. 112–213). **Page H6271**

Speaker: Read a letter from the Speaker wherein he appointed Representative Harris to act as Speaker pro tempore for today. **Page H6239**

Recess: The House recessed at 12:25 p.m. and reconvened at 2 p.m. **Page H6241**

Committee Resignation: Read a letter from Representative Wasserman Schultz, wherein she resigned from the Committee on the Judiciary. **Pages H6242–43**

Recess: The House recessed at 2:25 p.m. and reconvened at 3:33 p.m. **Page H6246**

Recess: The House recessed at 3:48 p.m. and reconvened at 3:54 p.m. **Page H6249**

Suspensions: The House agreed to suspend the rules and pass the following measures:

United States Parole Commission Extension Act of 2011: H.R. 2944, to provide for the continued performance of the functions of the United States Parole Commission, by a ⅔ yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 712;

Pages H6243–44, H6255–56

Death in Custody Reporting Act of 2011: H.R. 2189, to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, by a ⅔ yea-and-nay vote of 398 yeas to 18 nays, Roll No. 713; **Pages H6244–46, H6256–57**

Veterans Health Care Facilities Capital Improvement Act of 2011: H.R. 2646, amended, to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain expiring provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs, by a ⅔ yea-and-nay note of 412 yeas to 3 nays, Roll No. 714; **Pages H6246–49, H6257**

Combating Autism Reauthorization Act of 2011: H.R. 2005, to reauthorize the Combating Autism Act of 2006; and **Pages H6249–54**

Children's Hospital GME Support Reauthorization Act of 2011: H.R. 1852, to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals. **Pages H6254–55**

Recess: The House recessed at 4:27 p.m. and reconvened at 6:30 p.m. **Page H6255**

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H6243.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H6255–56, H6256–57 and H6257. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 9:05 p.m.

Committee Meetings

CHALLENGES TO DOING BUSINESS WITH THE DEPARTMENT OF DEFENSE

Committee on Armed Services: Panel on Business Challenges with the Defense Industry held a hearing on challenges to doing business with the Department of Defense. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee began markup of the following: H.R. 2250, the ''EPA Regulatory Relief Act of 2011''; H.R. 2681, the ''Cement Sector Regulatory Relief Act of 2011''; and H.R. 2937, the ''Pipeline Infrastructure and Community Protection Act of 2011.'' This markup will continue on September 21, 10 a.m., 2123 Rayburn.

HUMAN RIGHTS IN NORTH KOREA

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, and Human Rights held a hearing entitled ''Human Rights in North Korea: Challenges and Opportunities.'' Testimony was heard from public witnesses.

PROPOSED MERGER BETWEEN EXPRESS SCRIPTS AND MEDCO

Committee on the Judiciary: Subcommittee on Intellectual Property, Competition, and the Internet held a hearing entitled ''The Proposed Merger between Express Scripts and Medco.'' Testimony was heard from public witnesses.

TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION (TRAIN) ACT OF 2011

Committee on Rules: Full Committee held a hearing on H.R. 2401, the ''Transparency in Regulatory Analysis of Impacts on the Nation (TRAIN) Act of 2011.'' The Committee granted, by voice vote, a structured rule providing two hours of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

Testimony was heard from Rep. Whitfield; Rep. Rush; Rep. Hastings of Florida; and Rep. Richardson.

BUSINESS PROGRAM EXTENSION AND REFORM ACT OF 2011 (CONTINUING APPROPRIATIONS ACT, 2012)

Committee on Rules: Full Committee held a hearing on H.R. 2608, the ''Small Business Program Extension and Reform Act of 2011'' (Continuing Appropriations Act). The Committee granted, by record vote of 7 to 2, a resolution providing for the consideration of the Senate amendment to H.R. 2608. The rule makes in order a motion by the chair of the Committee on Appropriations that the House concur in the Senate amendment with the amendment printed in the Rules Committee report accompanying the resolution. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. Finally, the rule provides that H. Res. 399 is laid on the table.

Joint Meetings

DEBT LIMIT

Joint Economic Committee: Committee concluded a hearing to examine the debt limit, after receiving testimony from Allan H. Meltzer, Carnegie Mellon University, Pittsburgh, Pennsylvania; Chris Edwards, Cato Institute, Washington, D.C.; and Laurence Ball, Johns Hopkins University, Baltimore, Maryland.

COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 21, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to markup proposed budget estimates for fiscal year 2012 for Transportation, Housing and Urban Development, and Related Agencies, Department of State, Foreign Operations, and Related Programs, and Labor, Health and Human Services, Education, and Related Agencies, 3 p.m., SD–106.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine a recently released report by the National Park Service, focusing on "A Call to Action Preparing for a Second Century of Stewardship and Engagement", 2:30 p.m., SD–366.

Committee on Environment and Public Works: business meeting to consider S. 97, to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay, S. 893, to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program to develop measures to eradicate or control feral swine and to assess and restore wetlands damaged by feral swine, S. 1400, to restore the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of Gulf Coast States, to create jobs and revive the economic health of communities adversely affected by the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, the nomination of Kenneth J. Kopocis, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, and proposed resolutions relating to the General Services Administration, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine dually-eligible beneficiaries, focusing on improving care while lowering costs, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nominations of Robert A. Mandell, of Florida, to be Ambassador to Luxembourg, Thomas Charles Krajeski, of Virginia, to be Ambassador to the Kingdom of Bahrain, Dan W. Mozena, of Iowa, to be Ambassador to the People's Republic of Bangladesh, and Michael A. Hammer, of the District of Columbia, to be Assistant Secretary for Public Affairs, all of the Department of State, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: business meeting to resume consideration of S. 1546, to authorize certain programs of the Department of Homeland Security, 10 a.m., SD–342.

Full Committee, to hold hearings to examine transforming wartime contracting, focusing on recommendations of the Commission on Wartime Contracting, 2:30 p.m., SD–342.

Committee on the Judiciary: Subcommittee on Crime and Terrorism, to hold hearings to examine countering terrorist financing, focusing on progress and priorities, 11 a.m., SD–226.

Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine Google, focusing on consumers and competition, 2 p.m., SD–226.

Committee on Veterans' Affairs: to hold joint hearings to examine the legislative presentation of The American Legion, 10 a.m., SDG–50.

House

Committee on Armed Services: Subcommittee on Readiness, hearing on Army Reserve, Army National Guard and Air National Guard readiness, training and operations, 1 p.m., 2212 Rayburn.

Committee on the Budget: Full Committee, hearing entitled "The Broken Budget Process: Perspectives from Former CBO Directors." 10 a.m., 210 Cannon.

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled "Education Reforms: Ensuring the Education System Is Accountable to Parents and Communities." 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce: Full Committee, continue markup of the following: H.R. 2250, the "EPA Regulatory Relief Act of 2011"; H.R. 2681, the "Cement Sector Regulatory Relief Act of 2011"; and H.R. 2937, the "Pipeline Infrastructure and Community Protection Act of 2011." 10 a.m., 2123 Rayburn.

Committee on Financial Services: Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing entitled "Legislative Proposals To Facilitate Small Business Capital Formation and Job Creation." 10 a.m., 2128 Rayburn.

Subcommittee on International Monetary Policy and Trade, hearing entitled "The Impact of the World Bank and Multi-Lateral Development Banks on National Security." 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs: Full Committee, markup of the following: H.R. 2699, to establish policies and procedures in the Peace Corps to provide for the safety and security of volunteers from rape and sexual assault, and for other purposes; and H.R. 2337, to amend the Peace Corps Act to require sexual assault risk-reduction and response training, the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes. 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing entitled "China's Monopoly on Rare Earths: Implications for U.S. Foreign and Security Policy." 1 p.m., 2172 Rayburn.

Committee on Homeland Security: Full Committee, markup of the following: H. Res. 255, expressing the sense of the House of Representatives that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union; H.R. 915, the "Jaime Zapata Border Enforcement Security Task Force Act"; H.R. 1165, the "Transportation Security Administration Ombudsman Act of 2011"; H.R. 1299, the "Secure Border Act of 2011"; H.R. 1447, the

''Aviation Security Stakeholder Participation Act of 2011''; and H.R. 1801, the ''Risk-Based Security Screening for Members of The Armed Forces Act''. 10 a.m., 311 Cannon.

Committee on the Judiciary: Full Committee, continued markup of the following: H.R. 2885, the ''Legal Workforce Act''; and H.R. 2847, the ''American Specialty Agriculture Act.'' 10:15 a.m., 2141 Rayburn.

Committee on Natural Resources: Full Committee, hearing entitled ''ANWR: Jobs, Energy and Deficit Reduction.'' 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform: Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, will hold a business meeting, 9:30 a.m., 2154 Rayburn.

Subcommittee on Health Care, District of Columbia, Census and the National Archives, hearing entitled ''Examining Abuses of Medicaid Eligibility Rules.'' 10 a.m., 2247 Rayburn.

Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy, will hold a business meeting, 1:30 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology: Subcommittee on Technology and Innovation, hearing entitled ''The Next IT Revolution? Cloud Computing Opportunities and Challenges.'' 10 a.m., 2318 Rayburn.

Subcommittee on Research and Science Education, hearing entitled ''Oversight of the Networking and Information Technology Research and Development Program and Priorities for the Future.'' 2 p.m., 2318 Rayburn.

Committee on Small Business: Full Committee, hearing entitled ''Eliminating Job-Sapping Federal Rules through Retrospective Reviews—Oversight of the President's Efforts.'' 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment, hearing entitled ''The Economic Importance and Financial Challenges of Recapitalizing the Nation's Inland Waterways Transportation System.'' 10 a.m., 2167 Rayburn.

Committee on Ways and Means: Full Committee, hearing to review and examine the variety of economic models used by the Joint Committee on Taxation (JCT) to analyze and score tax reform legislation, 10 a.m., 1100 Longworth.

Full Committee, hearing to examine certain expiring Medicare provider payment provisions, 2 p.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine manufacturing in the United States of America, focusing on how United States trade policy offshores jobs, 2 p.m., SH–216.

Next Meeting of the SENATE

9:30 a.m., Wednesday, September 21

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 2832, Generalized System of Preferences Act, and vote on or in relation to Hatch Amendment No. 641, and McCain Amendment No. 625 at 12:30 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, September 21

House Chamber

Program for Wednesday: Consideration of the Senate amendment to H.R. 2608—Small Business Program Extension and Reform Act of 2011 (Subject to a Rule). Consideration of the following suspensions: 1) S. Con. Res. 28—A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to award the Congressional Gold Medal, collectively, to the 100th Infantry Battalion, 442nd Regimental Combat Team, and the Military Intelligence Service, United States Army, in recognition of their dedicated service during World War II; 2) S. 846—To designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the Christopher S. Bond United States Courthouse; 3) H.R. 2943—Temporary Assistance for Needy Families Extension; and 4) H.R. 2883—Child and Family Services Improvement and Innovation Act.

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