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. BOREN, 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.

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.
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 our country and our state 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 testimonials 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, the breadth and depth of this dear man whom they revere today are the warm and wonderful testimonies about his reflection of his being with Chuck Percy.

If you ask 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 belief that improvement were infectious. They will tell you of a dark moment of loss or sadness or disappointment in their lives when he was there with 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 right. He never locked people's 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.

They are Federal district and appellate judges and a Supreme Court Justice, whose service to our country might have been undermined 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 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 business owners, 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, Lorene, 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 are grateful 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 today to pay tribute to a man whose life has been dedicated to service to some great Americans. I want to join my colleagues from Illinois (Mrs. BIGGERT) in recognizing the extraordinary life and work of Senator Charles Percy. He will certainly be missed.

And, 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 Williamson, 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, 47, a wake County Teacher, 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, an individual who have now 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.

But, 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 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, Felicia 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 document. It is headlined, “Don't Ask Don't Tell Repeal.” It’s an official document. It is headlined, “Don’t Ask Don’t Tell Repeal.” It’s an official document. It is headlined, “Don’t Ask Don’t Tell Repeal.” It’s an official document. It is headlined, “Don’t Ask Don’t Tell Repeal.” It’s an official document.

“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.

“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.

“Across 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.

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 in 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 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.
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.

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 that regulatory certainty so they won’t if they don’t know what to deliver them 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 apart and from worries that might wear them out.

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 defined 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 insecure 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.

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:

H6242
CONGRESSIONAL RECORD — HOUSE
September 20, 2011

□ 1400
AFTER RECESS

The Speaker pro tempore. 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 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE
The Speaker pro tempore. 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 re-election.” 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, 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.

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 insecure 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.
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 Representa-
tives, Washington, DC.

Dear Mr. Speaker: Pursuant to the per-
mision granted in Clause 2(b) of Rule II of the
Rules of the U.S. House of Representa-
tives, the Clerk received the following mes-
sage from the Secretary of the Senate on
September 19, 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. HAS.

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 con-
tinued 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 Repre-
sentatives of the United States of America in Con-
grress assembled, That:

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 236(b) of the Sentenc-
ing 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 enac-
tment of this Act, the United States Pa-
role Commission shall report to the Commit-
tees 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 juris-
diction, including the number of Section
IV 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 jurisdic-
tion for fiscal year 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 execu-
ted 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 determina-
tions by the Commission in each type of case over which the Commission has jurisdiction for fiscal years 2006 through 2011.

7. The distribution of subsequent offenses, in-
cluding 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, in-
cluding 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 prob-
able cause hearings and hearings in which a
continuance was ordered) in which the pri-
mary and secondary examiner disagreed on the
appropriate disposition of the case (the
amount of time 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
for Federal initial hearings (28 C.F.R. 2.20) and

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 National Appeals Board decisions 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 of-
fenders 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 Com-
mission, including travel expenses and the
annual salaries of the members and staff of
the Commission, for fiscal years 2006 through 2011.

18. The percentage of offenders paroled,
re-paroled, and non-reparoled compared with the percentage of offenders paroled or replaced it with a deter-
minate sentencing system, Federal of-
fenders 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 con-
tinue supervision of these Federal of-
fenders.

In an effort to lower local crime rates, the District of Columbia fol-
lowed the Federal example and also abolished parole. Under the new D.C.
system, the D.C. Superior Court im-
poses a term of incarceration and sup-
ervised 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 who are eligible for parole, 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 eli-
}
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. 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. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) to recommit the bill to the Committee on the Judiciary.

The SPEAKER pro tempore. The question was taken.

The SPEAKER pro tempore. Pursuant to clause 2 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, for other purposes.

Mr. Speaker. I yield the balance of my time to the gentleman from Texas (Mr. SMITH).

SEC. 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 by any officer of such Federal, State, or local law enforcement operation, task force, or other specially authorized officer while under a Federal, State, or local law enforcement capacity.

(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 decedent;

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

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

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

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 enactment of this Act, the head of each Federal law enforcement agency shall submit to the Attorney General a report regarding the death of any person who is—

(1) detained, under arrest, or is in the process of being arrested by any officer of a Federal law enforcement agency (or any State or local law enforcement officer while performing 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, is incarcerated or detained at—

(A) a Federal prison, supervised boot camp prison, or other entity subject to subsection (b) of section 4201 of title 18; or

(B) a State prison, local jail, State or local correctional facility, or other law enforcement capacity.

(b) INFORMATION REQUIRED.—The report required by this section shall—

(1) contain the name, race, gender, and age of the decedent;

(2) contain information regarding the death of any person who is—

(A) in the custody of a Federal, State, or local correctional facility; or

(B) subject to subsection (b) of section 4201 of title 18;

(3) contain the date and location of death;

(4) report on the cause and manner of death; and

(5) report on the circumstances of 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 program (section 101(b)(1) 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 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 comply with subsection (a) may be reallocated under that program to States that have not failed to comply with such subsection.

(e) DEFINITIONS.—In this section the terms—

(1) ‘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));

(2) ‘limited jurisdiction State’ means a State that is a satellite State, as defined in section 235(a); and

(3) ‘State’ means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any territory of the United States.

(3) RECORDS.—Records required by this section shall be maintained by—

(a) the Attorney General, in the case of any death occurring in the custody of an entity subject to subsection (b) of section 4201 of title 18; and

(b) the State or local law enforcement agency, in the case of any death occurring in the custody of a State or local correctional facility.
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 is 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.

This 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.

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, the 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 1990s, 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 wrongful death cases brought in relation to these deaths. Press reports in the 1990s concerning prison abuses and deaths of 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 and does not change the information which 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 level 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, we have seen 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 Virginia, 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 these 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. Violent homicides by officers which accounted 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 jurisdictions, States, and communities to respond to and 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 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. The SPEAKER pro tempore. The question is on the motion offered by Mr. JOHNSON of Ohio. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2189) to authorize certain Department of Veterans Affairs major medical facility projects and leases, to extend certain provisions of law, and to modify certain authorities of the Secretary of Veterans Affairs, and for other purposes, as amended. The Clerk reads the title of the bill.

The text of the bill is as follows:

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:

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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 and seismic corrections for Building 100 at the Department of Veterans Affairs Medical Center in Seattle, Washington, in an amount not to exceed $35,180,000.

2. Construction of seismic corrections and renovation of various buildings to include Building 309 for housing homeless veterans at the Department of Veterans Affairs Medical Center in West Los Angeles, California, in an amount not to exceed $1,168,000.

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 “$50,600,000”.

(b) Modification of Extension of Authorization for Major Medical Facility Construction Project in Orlando, Florida. Previously Authorized in Connection With Capital Asset Realignment Initiative Act of 2011.—The Secretary of Veterans Affairs may carry out the major medical facility project at the Department of Veterans Affairs Medical Center in Orlando, Florida, in an amount not to exceed $4,000,000.

(c) Increase in Amount of Authorization for Fiscal Year 2008 Major Medical Facility Project at Department of Veterans Affairs Medical Center in Palm Alto, California. —The Secretary of Veterans Affairs may carry out the major medical facility project at the Department of Veterans Affairs Medical Center in Palm 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 “110–252; 122 Stat. 2326” after “Florida, area”.

(d) Increase in Amount of Authorization for Fiscal Year 2009 Major Medical Facility Project at Department of Veterans Affairs Medical Center, San Juan, Puerto Rico. —The Secretary of Veterans Affairs may carry out the major medical facility project at the Department of Veterans Affairs Medical Center, San Juan, Puerto Rico, for which amounts were appropriated under chapter 3 of title I of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 122 Stat. 2326) after “$91,053,000” and inserting “$96,800,000”.

(e) Increase in Amount of Authorization for Fiscal Year 2009 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 “$71,660,000”.

(f) Increase in Amount of Authorization for Fiscal Year 2012 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 “$71,660,000” and inserting “$80,536,300”.

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

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 $3,333,000.

(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 $2,845,000.

(4) Rochester, New York, Outpatient Clinic, in an amount not to exceed $9,232,000.
SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION, MAJOR PROJECTS.—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, for a fiscal year after 2012 for Major Projects, for fiscal year 2012 for a category of activity not specific to a project; and (f) funds appropriated for Construction, Major Projects, for a fiscal year before 2012 for a category of activity not specific to a project; and (g) 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 RELATED TO CONGRESSIONAL APPOVAL OF CERTAIN MEDICAL FACILITY ACQUISITIONS.

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

(c) LIMITATION ON AUTHORITY OF SEC- TION 8113—(a) The Secretary may not obligate an amount under subparagraph (A) to expand the purpose.

(d) ADDITIONAL SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2066(d) of such title is amended by striking “December 31, 2011” and inserting “December 31, 2012”.

(e) AUTHORITY TO TRANSFER REAL PRO- PERTIES.—Section 111(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. 7. LIMITATION ON AUTHORITY OF SEC- TION 8114—(1) The Secretary may not obligate an amount under subparagraph (A) to expand the purpose.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS FOR CONGRESSIONAL APPOVAL OF CERTAIN MEDICAL FACILITY ACQUISITIONS.

Section 8113 of title 38, United States Code, as amended, is amended—

(c) LIMITATION ON AUTHORITY OF SEC- TION 8113—(a) The Secretary may not obligate an amount under subparagraph (A) to expand the purpose.

(d) ADDITIONAL SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2066(d) of such title is amended by striking “December 31, 2011” and inserting “December 31, 2012”.

(e) AUTHORITY TO TRANSFER REAL PRO- PERTIES.—Section 111(a)(5) of such title is amended by striking “December 31, 2011” and inserting “December 31, 2012”.

(f) AUTHORITY TO TRANSFER REAL PRO- PERTIES.—Section 111(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. 9. AUTHORIZATION OF APPROPRIATIONS FOR CONGRESSIONAL APPOVAL OF CERTAIN MEDICAL FACILITY ACQUISITIONS.

Section 8113 of title 38, United States Code, as amended, is amended—

(b) ADDITIONAL SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2066(d) of such title is amended by striking “December 31, 2011” and inserting “December 31, 2012”.

(c) LIMITATION ON AUTHORITY OF SEC- TION 8113—(a) The Secretary may not obligate an amount under subparagraph (A) to expand the purpose.

(d) ADDITIONAL SERVICES FOR SERIOUSLY MENTALLY ILL AND HOMELESS VETERANS.—Section 2066(d) of such title is amended by striking “December 31, 2011” and inserting “December 31, 2012”. Applying to: (a) Police officers in law enforcement agencies; (b) Members of the Armed Forces; (c) Members of the National Guard or the Reserve Components of the Armed Forces; and (d) Women and children. Additionally, it applies to veterans who have served in the Armed Forces.
SEC. 13. EXTENSION OF GRANT PROGRAM FOR HOMELESS VETERANS WITH SPECIAL NEEDS.

Section 262(1)(c) of title 38, United States Code, is amended by striking “2011” and inserting “2012.”

SEC. 14. EXTENSION OF SPECIALLY ADAPTED HOMEOWNER LOAN PROGRAM TO INDI- VUALS RESIDING TEMPORARILY IN HOUSING OWNED BY A FAMILY MEMBER.

Section 2102(a) of title 38, United States Code, is amended by striking “2011” and inserting “2012.”

SEC. 15. EXTENSION OF FUNDING FEES.

Section 221(c)(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 317(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 317(a)(4) of title 38, United States Code, 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 expenses, 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 Billings, Montana.

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; Denver, Colorado; Savannah, Georgia; 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. This 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 appropriate 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, 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 expansion 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 thanks to Chairman JEFF MILLER and Ranking Member BOB FILNER, as well as Subcommittees on Health Chairwoman ANN MARIE BUEKLE and Ranking Member MIKE MICHAUD, for their efforts to quickly move this important legislation through the House committee and to the House floor.

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

Mr. Speaker, 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—agreement on the issues, 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 $897,370,000 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 they feel comfortable and welcome at all our facilities. Additionally, the bill would authorize funds for eight new major
Second Lieutenant O'Brien refused to least three of the enemy."

hand combat, succeeded in killing at position, he regained his feet, waved his hand the assault, pausing only long near the well-entrenched enemy po-

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

Mr. WALZ of Minnesota, Mr. Speak- er, I urge the support of this important piece of legislation. 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. GERALD 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 con-

struction projects and leases will help many veterans around the country receive the best care they possibly can.

One of these projects 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 veterans 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 Indi-

ana. 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.
Mr. Speaker, I am pleased to see that in this bill, the Combating Autism Act, in addition to detailed surveillance of autism that 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 of the 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 not. 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 crucial that everyone in the autism community be able to participate in the community and to live as they choose.

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 awareness 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’s passing of the bill is a crucial to 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, for his leadership on this issue.

We are in the fourth year of the 6-year period beginning on the date of enactment of the Combating Autism Act of 2006. 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.

With early intervention, many can lead much better and 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 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, and it can’t be overstated. 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.

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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 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 act to address these 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, 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 BUTTERFIELD.
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 what has been 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 autism. 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 the 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 BILIARAKIS 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.

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, as we do 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 disorders are 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 the Combating Autism Act of 2011 would continue the success of the CAA of 2006 by authorizing funding for programs at NIH, CDC, and HRSA for 3 additional years.
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.
early diagnosis and treatment of co-occurring conditions, such as epilep
ysis, sleep, and gastrointestinal disorders. The 2011 strategic plan added
another 16 objectives, including studies on the use and accessibility of alter
native and augmentative communica
tion 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 at least all the different agencies of gov
ernment are surging to try to combat autism. We need to reauthorize this legisla
tion. 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 con
continue without interruption the
Act of 2011. This legislation is critically impor
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suggested a much wider problem than anticipa
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which became Title I of the Children’s Health Act of 2000.

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ized and expanded in the Combating Autism
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renew today.

According to the National Institutes of
Health, Autism Spectrum Disorder (ASD) is
“characterized by impaired verbal and non

on the other side of the aisle, Mr.
PITTS for bringing this bill to the floor,

One can thank Chairman

ity and expansion of the initiative, which
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For example, in 2009, the strategic plan in
cluded 40 research objectives, including the
study of employer-based health insurance
The Harvard School of Public Health cal
culated that it can cost $3.2 million to take
care of one autistic person over his or her life
time. Looking at medical expenses alone, a
CD study of employer-based health insurance
showed that individuals with an ASD had aver
age medical expenditures that exceeded those
without an ASD by $4,100 to $6,200 per year.

A decade of research, surveillance, treat
ment and education has had a significant posi

The Maternal and Child Health Bureau of
CDC’s health communication campaign,
“Learn the Signs. Act Early,” educates par
ents, 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 serv
ces as soon as possible.

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

CDC’s health communication campaign,
“Learn the Signs. Act Early,” educates par

Eight years of research, surveillance, treat
ment and education has had a significant posi

The study has enrolled 2700 families and ini
planned to date of the causes of autism, in

Groups, for the work that they have
done in educating Members.

And I thank you Chairman

This legislation, like I said, is a mod
est step, but a very crucial step. I want to
talk 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 I thank you Chairman

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
$281 million in fiscal years 2012, 2013, and 2014. The Reauthorization Act will
authorize appropriations of $22 million for sur
veillance; $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 Con
gress. The Combating Autism Reauthorization
Act and surveillance sunset and reporting provi
sions that ensure appropriate review and ac
countability.

H.R. 2005 reauthorizes the Interagency Au
tism Coordinating Committee (IACC)—a panel
of government and public members, tasked
with coordinating all ASD-related activities
within HHS, as well as developing and annu
ally updating a strategic plan for ASD re
search. In order to enhance the quality, effi
cacy and accountability of research grants and
to avoid waste and duplication, the IACC has
championed strategic research plans in 2009,
2010, and 2011.

For example, in 2009, the strategic plan in
cluded 40 research objectives, including the
development of new diagnostic tools, identi
fication of genetic and environmental risk fac
tors, 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 con
ditions, such as epilepsy and sleep and gastro
intestinal disorders.

And the 2011 strategic plan added another
16 objectives, including studies on the use of
alternative and augmentative communica
tion (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 in
cluded 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 re
search related to autism.

This reauthorization bill also continues sup
port of the critical surveillance and epidemi
ology programs that were established by the
Children’s Health Act and strengthened by the
Combating Autism Act.

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

The Centers for Autism Developmental Dis
abilities Research and Epidemiology has im
plemented the Study to Explore Early Devel
opment (SEED), which is the largest study
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including genetic and environmental risk factors.
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 surveillance and research 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 educational 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 advocate Congressman SMITH, Congresswoman WEx

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 look at what we could do at the state level to help him. We hired a special aide to 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 but there was something that 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 Community. It’s not Chris Smith or Mike Doyle. It’s really the parents of these children that formed the many different groups around the country. 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—and express 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.

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. 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.

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 (g)(2)(D), by striking “2011” and inserting “2016.”

REPORT.——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 2016.”

This Act may be cited as the “Children’s Hospital Graduate Medical Education Support Reauthorization Act of 2011.”

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 then. Since the last reauthorization 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 their 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. It will maintain and strengthen existing training 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 representing.

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
I thank Health Subcommittee Chairman PITTS for his tremendous work in this effort, as well as Ranking Member FALLONE. And I thank them for working in 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 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. FALLONE) 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.

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. FALLONE, 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 Graduate 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. 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 healthcare 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 1995. If CHGME is reauthorized we will be able to maintain the gains we have made in the 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 $0.0085 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’s rural and underserved urban areas, the more medical professionals we train there is an increased 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 compensates 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 present, yeas and nays ordered demand the yeas and nays.

A motion to reconsider was laid on the table.

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

Mr. POSEY. Mr. Speaker, on that I rise today in support of H.R. 2944, de novo; H.R. 2189, de novo; H.R. 2646, by the yeas and nays.

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. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS), and I am asking unanimous consent to clause 12(a) of rule I, the Chair of the Committee on Rules, that the House suspend the rules and pass the bill, H.R. 1852.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas 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 19, as follows:

[Roll No. 712]

YEAS—415

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Acknowledgments
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 theMotion 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]
ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore, Mr. TIPTON, announced the result of the vote as follows:

YEAS—412

NAYS—3

Mr. TIPTON asked and was given permission to address the House for one minute.

Mr. TIPTON. Madam Speaker, I rise today to honor the former Ute Mountain Ute tribe 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. 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 terms as chairman of the Ute Mountain Ute 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 compact agreements.
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 10 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 61 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 accomplish more than the generations before them. 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.

2010 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 embodies 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 Anunciacion Borja Tudela, who raised his 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 Anunciacion Borja Tudela, who raised his 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 leaving 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 were filled with study sessions 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.

Now Mr. Borja's postal career began in earnest. He was promoted to management and sent as an equal employment opportunity 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, as a member of the Postal Service, he was there to dedicate the Northern Mariana Islands stamp commemorating his home. In 1993, Mr. Tudela has the opportunity to participate in dedicating 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 hoped that his amazing 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 just in your own life, do your best, persevere, work hard. Your efforts 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 20, a gentleman from Virginia (Mr. RIGGEL) is recognized for 60 minutes as the designee of the majority leader.

Mr. RIGGEL. 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 corrugated, 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 installed earlier this year. And, as a member of Congress, 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 even lost their homes foreclosed. 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.'

'The families which 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 make 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: force 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 labor. In turn, force the Chinese manufacturers to raise the 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 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 our 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 against women. We later found out that he had killed Tad Mattle while 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. 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 caught 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 his Spring 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 shop that he never used one 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 Scout 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 SAT 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, they took a hike on the Appalachian Trail, Tad led the hike 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 drunk illegal immigrant who was fleeing the police. Tad and his girlfriend were killed instantly, which resulted in the truck impacting 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 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. Let me restate 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 had 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 federal 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, deport 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 not, just 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 not have to see retaliation 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 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.

Not only do we have memos directing front-line officers to ignore 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. 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.

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 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 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.
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 Mattie. The new policy, in effect, refuses to enforce immigration law until, and let me make this clear, until any of these illegal aliens have not only committed violent crime, but 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 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 bluntly ignore the law or in 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 regulations 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 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 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 brought 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 family in South Carolina, and it’s a grandmother from Indiana, on and on and on.

What I want to know is, who’s it who’s coming to defend that story tonight? Because I hear it in town hall meetings all the time. I know my friend from Alabama hears the same thing: Ros, 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 between us 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—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 there are folks 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 untold-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 classrooms. I’m grateful for 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 newcomers.

Somebody stopped me the other day and they said, Ros, 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 back that, but I want my money back because it wasn't cheap. It's not. Being a United States citizen is a gift. It requires great commitments, as it is a great opportunity; and we treat it in this country as if it's worth 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 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.

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 that gift is to an 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 that gift is to an 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.

As you tell the story, I say to my friend from Alabama, of someone who has been convicted of crime after crime, of someone who has warrants out for their arrest across the United States, of someone who hasn't yet found a job to support his kids and says those born in the United States, under the jurisdiction thereof, shall be United States citizens. And I will say to my constituents in Alabama, the victims that I've seen, they don't deserve first crack at that job? First crack.

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 what I learned in that conversation was that those folks who believe 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 newspaper, anybody, 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. That's what it's about. Mr. Wooldall, you said 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 the folks who believe that those folks don't deserve first crack at that job? First crack.

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 land of the 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 lawmakers, 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 legal 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 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 me supporting 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 it takes you 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 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 see 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 little boy 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 unemployment 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 somewhere 1 1/2 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.

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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 have to lay off teachers. 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 component.

In the President’s 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 pass 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.

As 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.

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 piece, and there’s 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 program, like I said before in 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 the 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 new teacher. 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 purely in 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 important skills, but 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 tax. $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.

The President, as discussed 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.

Once you’re engaged with 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 employer and for 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 thing. 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 tremendous, tremendous hardship, 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 out 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 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 about that 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 needs 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 it for decades. What it 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, but, 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 DE LAURO, 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 done too.

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 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 can.

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 not of 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 kinds of programs that I think are needed 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 educational programs. 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 TONKO. TONKO, from 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 thoughtful considerations. 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 Kinstz of Kinstz 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 that in that compact that really puts together the vision and the need, the compact that expresses the need for manufacturing.

Now, the ones that would such 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're investing with America's brainpower—its know-how—that's pulling together the intellectual capacity and making it work; but when we introduce innovation, we need people with the will set to run these automated mechanisms in the manufacturing line.

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 innovation and advanced 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 signed 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. 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 on tremendous importance.

It's happening as we speak. We're working with the private sector communities, we're working with RPI and other institutions. We're working with CAT—a center for advanced technology—in the Capital Region. He works with RPI and other institutions.

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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. You went through these very, very well, a trade policy that really positions America to once again be the manufacturer for the world.

You are talking about 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 get a subsidy for shipping jobs offshore? They did. We ended it. So let's get rid of those 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 that American corporations that give us 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 line of lathe, that that welding machine, that that saw, whatever it happens to be, or the cultivator, the tractor out in farm areas, 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 investment 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 the construction, for that infrastructure, airports, highway, high-speed rail, trains, et cetera, those 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 Hurricane Irene, and it's going to be a long period of time. If you will, if 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 affected, from the sight of a 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 discontinue, infrastructure knocked out and we did not 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 the supply chain. It’s the blood flow into our communities that enables the economic comeback to truly be that noble, bold approach, infrastructure, and to put together in the American’s mind as if it was 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 skills for 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 the renewed face 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.

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 cabinet 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 place, where businesses have been shut down, where homes have been lost totally to the waters, to the rivers and to the 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 the 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’t find. These are things that are more than 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 out 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 philosophy, these are people that I represent 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 disfavoring of ag assistance when they are loss-producing, when they 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. During that 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 billions, hundreds of millions, of dollars made available immediately. 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 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.

Mr. TONKO. It is. I think it high-
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, 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 possibilities 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 spirit we should suggest?

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, the battery manufacturing, advanced battery manufacturing.

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 the rest of the nation; and we did that by building the prototype. 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. It's just an 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, let's 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, 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 worked their entire life, that had always been able to come home with food and a paycheck and been able to pay your rent or pay the mortgage they 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, 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 care. They care. 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 suggested.

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, there is one statistic because as we empower each and every American, we, as a nation, as a culture, are going to grow stronger. That strength 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 revisititation, 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 you 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 the recession. And that the 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 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 this. 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.

For the long end, the poorest, 1 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 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—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 those 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 the payment comes down to the local level with property tax payments that are now suffocating the American Dream for America’s working families, for the middle class. So not only is the tax policy suffocating for many, 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 rebuid 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. TRANSITION AGENCY 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.
By Mr. BACA (for himself, Mr. Israel, Mr. Scherrano, Mr. Nortont, Mr. Gulalva, Mr. Bordallo, Mr. Conyers, Mr. Lee, Mr. Edwards, Mr. Ackerman, Mr. Gibson of New York, Mr. Woolsey, Mr. Brady of Pennsylvania, and Mr. Runyan):

H. R. 2970. A bill to award a Congressional Gold Medal to Alice Paul's role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Financial Services.

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 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 exempt 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. Loej):

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 spent 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 wireless public safety broadband networks, 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. Lentzmeier):

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. Fleischmann, Mr. Broun of Georgia, Mr. Farenthold, Mr. Crawford, Mrs. Black, Mr. Gingrey of Georgia, Mr. Brooks, Mrs. Roy, 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 rulemakings, 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 incorrect 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; 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 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 (for himself, Ms. DeLauro, Mr. Young of Florida, Mr. Israel, Ms. Matsui, Mr. Clarke of Michigan, Mr. Richardson, Mr. Carcetti, Mr. Rush, Ms. McCollum, Mr. Carozza, Mr. Ryan of Ohio, Mr. Chaffetz, Mr. Reid, Mr. Levin, Ms. Hochul, Mr. Rosswell, Mr. Connelly of Virginia, Mr. Butterfield, Mr. Donnelly of Indiana, Mr. Kidere, Mrs. Davis of California, Mrs. Lowey, Mr. Crawford, Mr. Peterson, Ms. Bordallo, Ms. Wasserman Schultz, Ms. Maloney, Ms. Moore, Ms. Tsongas, Ms. Castor of Florida, Ms. Herrera Beutler, Ms. Woolsey, Mr. Sterling, 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. Banks, Mr. Towns, and Mrs. Christensen):

H. Res. 408. A resolution recognizing the impact of Mr. Hubert James on politics, urban development, and New York City, and paying tribute to Mr. Huburt 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 Indian Women 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 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.

134. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 91 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. 92 opposing the budget cuts proposed by the President and the Congress; 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. 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.

137. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Concurrent Resolution No. 32 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.

138. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Concurrent Resolution No. 33 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.

139. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 12 requesting the enactment of Foreign Relations and Natural Resources.

140. Also, a memorial of the Legislature of the State of California, relative to Assembly Bill No. 139. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 143 proposing a transfer of jurisdiction; jointly to the Committees on Oversight and Government Reform and Natural Resources.

141. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution No. 12 requesting the enactment of the State of Hawaii to carry out the provisions of the Compact of Free Association nations; 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 memorials are submitted stating the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CUMMINGS:

H.R. 2698.

The power granted to Congress under Article I, Section 8, Clause 4 and Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. WITTMAN:

H.R. 2699.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. BURGESS:

H.R. 2701.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes— as well as 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 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. 2702.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes— as well as 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 Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. LARSEN of Washington:

H.R. 2703.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8, Clause 7 of the United States Constitution.

By Mr. HULTGREN:

H.R. 2704.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 2 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. Given the power of judicial review, the Supreme Court has the ability 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. 2705.

Congress has the power to enact this legislation pursuant to the following:

The 10th Amendment of the Constitution.

By Ms. MOORE:

H.R. 2706.

Congress has the power to enact this legislation pursuant to the following:

Congress' power under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. NADLER:

H.R. 2707.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 17, and 18.

By Mr. ROTHMAN of New Jersey:

H.R. 2708.

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 Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SCHWEIKERT:

H.R. 2709.

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. 2710.

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. SMITH of New Jersey:

H.R. 2711.

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. 2712.

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. 218: MS. CHRISTENSEN, MS. WOOLSEY, MR. FALKEOMAARIA, and MR. TOWNS.

H.R. 303: MR. COSTELLO, MR. BENISHEK, and MR. COFFMAN of Colorado.


H.R. 370: MS. WASSERMAN SCHULTZ.

H.R. 371: MR. GARY G. MILLER of California.

H.R. 402: MR. LANDEYIN.


H.R. 494: MS. BALDWIN.

H.R. 512: MR. SERRANO and MS. JACKSON of Texas.

H.R. 530: MR. FRANK of Massachusetts and MS. WOOLSEY.

H.R. 538: MR. GOODLATTTE.

H.R. 615: MR. HURLSKAMP.
CONGRESSIONAL RECORD — HOUSE

H.R. 640: Mrs. Emerson.
H.R. 645: Mr. Scott of South Carolina.
H.R. 683: Mr. Johnson of Georgia and Mrs. Cristensen.
H.R. 733: Mr. Jones and Mr. Bartlett.
H.R. 735: Mr. DesJarlais, Mr. McKeon, and Mr. Rivera.
H.R. 760: Mr. Cardoz and Mr. Denham.
H.R. 844: 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 Bruttler.
H.R. 1041: Mr. Tsongas.
H.R. 1042: Mr. Rohrabacher, Mrs. Bono Mack, and Mr. Dreier.
H.R. 1206: Mr. Duffy, Mrs. Myrick, Mr. Graves of Missouri, and Mr. Fleischmann.
H.R. 1235: Mr. Ross of Florida.
H.R. 1239: Mr. Price of Georgia.
H.R. 1322: Mr. Kucinich and Mr. Towns.
H.R. 1332: Mr. DeFazio, Mr. Altman, Ms. Kaptur, Mr. Gary G. Miller of California, Mr. Chabot, Mrs. Bigelow, 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. 1469: Ms. Zoe Logofehr 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. Kingst.
H.R. 1606: Mr. Kilเดe.
H.R. 1639: Mr. Griffith of Virginia, Mr. Gibson, 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. 1729: 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. Bils.
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. Watersman Schultz.
H.R. 1909: Mr. Schweikert and Ms. McCollum.
H.R. 1946: Mr. Welch.
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. Johnson.
H.R. 2005: Mr. Sablan, Mrs. Maloney, Mr. Merhian, Mr. Honda, and Mr. Reyes.
H.R. 2020: Mr. Kissell and Mr. Moran.
H.R. 2033: Mrs. Lowery.
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. Cole, and Mr. Sensenbrenner.
H.R. 2068: Mr. Gardner.
H.R. 2123: Mr. Tierney.
H.R. 2134: Mr. Tonko.
H.R. 2138: Mr. Nunnelee, Mr. Schilling, Mr. Austin Scott of Georgia, Mr. Ackerman, Mr. Higgins, Mr. Krattinger, and Mr. Bass of New Hampshire.
H.R. 2140: Ms. DeLauro, Ms. McCollum, and Mr. Hinojosa.
H.R. 2159: Mr. Langevin.
H.R. 2164: Ms. Sessions.
H.R. 2167: Mr. Welch, Mr. Boren, and Mr. Fitzpatrick.
H.R. 2256: Mr. Rooney, Mr. Fleischmann, and Mr. Kingston.
H.R. 2257: Mr. Murphy of Pennsylvania, Mr. Nunnelee, Mr. Foerster, and Mr. Walsh of Illinois.
H.R. 2306: Mr. Grimm.
H.R. 2324: Ms. McCollum.
H.R. 2346: Ms. Baldwin.
H.R. 2349: Mr. Bilirakis.
H.R. 2369: Mrs. Black, Ms. Herrera Bruttler, 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. Lujan.
H.R. 2446: Mr. Huizenga of Michigan.
H.R. 2471: Ms. Myrick.
H.R. 2479: Ms. Cicilline.
H.R. 2492: Mr. Holt.
H.R. 2497: Ms. Sessions.
H.R. 2509: Mr. Cohen, Mr. Hincher, Ms. Chu, Mr. Oliver, Mr. Gutierrez, Ms. Bass of California, Mr. Levin, and Mr. Kucinich.
H.R. 2512: Mr. Amodei.
H.R. 2524: 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. 2543: Mr. Polis.
H.R. 2567: Ms. Zoe Logofehr of California, Ms. Woolsey, Mrs. Maloney, Mr. Berman, Mr. Kilde, Mr. Ackerman, Mr. Hastings of Florida, and Mr. Rothman of New Jersey.
H.R. 2579: Mr. Farr.
H.R. 2581: 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. 2777: Ms. Hensarling, Mr. Harris, and Mrs. Myrick.
H.R. 2787: Mr. Lujan and Mr. Pastor of Arizona.
H.R. 2832: Mr. Coffman of Colorado.
H.R. 2854: Mr. Gibson, Ms. Foxx, Mr. Stivers, Mr. Canseco, and Mr. Westmoreland.
H.R. 2856: Mr. Oliver.
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. 2883: 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. 2928: 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. Bicchieri.
H.J. Res. 13: Mr. Rogers of Alabama and Mr. Womack.
H. Con. Res. 72: Mr. Oliver 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. Conte.
H. Res. 367: Mr. Ratcliffe and Mr. Carns.
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: Mr. Jackson Lee of Texas, Mr. Lewis of Georgia, Mr. Bordallo, Mr. Farr, Mr. Cleaver, Mr. Gonzalez, and Mr. Conn.

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 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 fall 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
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 yes, that was wrong. 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-ending 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 that 95% of the money they lost to and it is a real shortchange, by failing to provide the funding to adequately help Americans whose lives have been devastated by floods, hurricanes, tornadoes, and wildfires. 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, 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 deal with 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, and a division. It 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 haven't 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 besiegled 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 senior 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 that the understanding is that 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. 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 renew 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. The reality is, the United States 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 may or may not conclude that 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. As is vised TPA is based on legislation offered by a bipartisan pair of trade leaders, Senator PORTMAN and Senator LIEBERMAN.

We are going to hear Democrats argue 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 reauthorizing 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 pro-TPA, it is time for it to be our 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. In accordance with precedent, the Senator from Tennessee is asked 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 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 2-year terms at that time. I have been doing that 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 re-making these issues, and I plan 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 brain power. They achieved the same standard of living that 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 1760s, 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 values, 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 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 voted 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 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 the direction 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 our future. I think of the questions that we will ask tomorrow and the answers that we will have.

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 that our country can get the job of raising our standard of living to be for our families, and what our national security will be.

I thank the Presiding Officer, and I yield the floor.

Senator ALEXANDER, who was the Republican Chairman of the Senate Finance Committee, who was the ranking member of the Senate Appropriations Committee, he is a man who has been a leader in the Senate for a long time to come.

When I first met Senator Lamar, he was elected to the Senate in 1978. He was a young man, just 31 years old. He had clerked for a well-known circuit judge, had 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 Governor, reelected Governor in 1974—a spectacular record. He tried to get reelected in 1978, but he decided he wanted to 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 Senator Lamar Alexander.

So I say to my good friend from Tennessee, I am delighted 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. I was his colleague, 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 piano player and musician. My mother let me quit. That was the only mistake she made in an otherwise perfect life. I admire 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 he decided he wanted to 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.

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I yield the floor.
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 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 resume and there is no 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. It 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 that 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 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 growing populations, 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.

I 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 program is implemented. Programs 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 education to where every child crosses 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 in a classroom the first thing a teacher says is, Open your book to page 41. 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 iPods, 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, e
efficacy 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 go of that potential
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 ac-
countability, 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 ad-
ministrators: You determine whether teacher
work.
I do not want to sit in Washington and define how pharmacists who have
lost their passion to work in a drug
store cannot shift over and become chemistry teachers in a high school be-
cause neither they nor I am KIPP. We 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 class-
room and explain to kids how that
works or, more importantly, how the
interaction of compounds actually hap-
pen. That is not my role. It is not our
role. Our role is to encourage, by mak-
ing sure the tools are there for those
closest to the problem to come up with solutions.
We have 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 cospon-
soring it. I hope the Secretary of Edu-
cation will look at it, even though we have had conversations that have con-
tinued since the first of the year, and we
have a ranking member and a chair-
man engaged in the reauthorization of
Elementary and Secondary Education
right now. I hope we influence their
ability to get some type of an agree-
ment.
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 ex-

pansion 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 been an innovator 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 Acad-
emy 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. North Carolina, it is be-
autiful. 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 underper-
forming 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 element-
ary school. There is no way anybody
can claim they draw from a different
population. They draw from the same
school neighborhood. Yet if we com-
pare KIPP to the traditional element-
ary school next door, the performance
of those students is off the charts. At
someone’s request, I have to look at it and
say: This model works. How do we re-
plicate it? But we are hung up in that
one is public and one is charter.
Well, let me tell you, if we could rep-
licate all of them to be KIPP, I would
do them all them, and I
would care less about how we funded
them. I would only care about the out-
come, how many students have the
education foundation we need. In
KIPP’s case, it is almost 100 percent.

Somehow, KIPP On the fact that they plug in to Teach for
America graduates, teachers who enter
KIPP On 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 proc-
ess. They go in with a different pass-
ion. They do not go in with surprise
with the makeup of the students in their
classroom on the first day. They go in
expecting the job is tough, knowing
their creativity and their innovation is
going to be challenged.

What have we 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 Kaine’s bill we can expand
KIPP is doing. We can challenge other
individuals in other areas of the coun-
try to create KIPP-like models that
work.
My challenge today is to assure all
Members of the Senate and all Ameri-
cans. 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
gain line. If they do, they do it in a
way that is not necessarily advanta-
geous 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 pre-
pared to compete. I think that is ex-
actly why Senator Alexander stated
he was willing to give up the reins of leadership, to be more integrally in-
volved in the solutions that are crafted
on this floor and in this Congress. That
is why I said earlier, America has bene-
fit 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 con-
text of how the programs look like—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 Alex-
ander, something that gives us hope in
the future that our kids have a better
prospect, if we want to continue to be
the innovator of the world, then we
could have 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
where 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
temore and yield the floor.
Mr. SCHUMER. Madam President, I
ask unanimous consent that the order
for the quorum call be rescinded.
The Acting President pro
temore. The clerk will call the roll.
Mr. SCHUMER. Madam President,
I suggest the absence of a quorum.
The Acting President pro
temore. Without objection, it is so or-
dered.

FEMA FUNDING
Mr. SCHUMER. Madam President,
first, I would like to talk a little about
the upcoming FEMA bill. As I under-
stand 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, in 2011, which is more than
is actually needed, and then they
ask that it be paid for with $1.5
billion, which is not the way mathe-
ematics 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 there are terrible problems 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 that if we do this, the wealthiest among us would say that we are doing 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 add a tax on the wealthy or tax increases for the middle class. That is not class warfare. To try to call it the name is unfair.

Let me make a second point. We have a responsibility in this. The President is not proposing taxes at all. 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—this is the few—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 want 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 they can say 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. I don’t want to do this. I 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 do it.

That is what is 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 the budget deficit is going up, 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 what 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 them. I don’t see on the 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 am in 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 yield the floor.
DEFCIT 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 1 1/2 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 superwork. 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 my colleague 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 or 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 content only to protecting those with the highest incomes in America. That is not a recipe for success. It may be somebody's idea of a campaign platform, but it isn't a platform to build the economy.

I would ask 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 as much 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 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 47,235 workers in America only those 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 a 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 brought them to this country as children, because their parents brought them to this country as children, because their parents brought them to this country as children, because their parents brought them to this country as children, because their parents brought them to this country as children, because their parents brought them to this country as children, because their parents brought them to this country as children, because their parents brought them to this country as children. 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—or 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 deportations, 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 who is an honors premied 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
Mr. REID. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with. 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 CONGRESSIONAL 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 that the order for the quorum call be rescinded.

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

AMENDMENT NO. 626 TO AMENDMENT NO. 633

Mr. McCONNELL. Mr. President, I call up amendment No. 626.

Mr. CASEY, BROWN of Ohio, and Baucus, I propose an amendment numbered 626 to amendment No. 633.

At the end, add the following:

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:

(Purpose: To provide trade promotion authority for the Trans-Pacific Partnership Agreement and for other trade agreements)

At the end, add the following:
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 something 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 shown as 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 necessary to consider and 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 by 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 paying job with good health care and 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 started with 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 jobs 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. You can examine that in 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 state’s produce of Pennsylvania down to 12.1 percent, 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 to retrain and enter 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 Programs were 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 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—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; and 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, and the junior Senator from Ohio, then the senior Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. No. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. I ask unanimous consent that I, or better than any of us, and it affected by this know this story better with this work. Those who have been

continue that with this amendment and

in the Senate, and I hope we can con-

and proud history of bipartisan support

Trade adjustment assistance has a long

tries, workers need new skills. They

are left with the consequences and

the cold. Nothing they did has caused

this but it bears repeating—have been

lose their job through no fault of their

by addressing one of the most signifi-

cant costs for those without a job, the

cost of health insurance.

We all know, and I know firsthand, the benefits of a strong trade adjust-

ment 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 Pennsylvanians. If you look at it nationwide, 185,783 ad-

ditional 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. The health care tax credit subsidy to 72.5 percent and here-

by addressing one of the most signifi-

The PRESIDING OFFICER. The Senator

from Ohio.

Mr. BROWN of Ohio. I thought Sen-

ator HATCH said that the senior Sen-

ator from Ohio, then the junior Senator

from Ohio.

The PRESIDING OFFICER. The UC

request is for the Senator from Utah, 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, Mr. Reisch. Before I get into the specifics, I think it is im-

portant to put this debate in context. For years I have been working to en-

sure 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, other

ers 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 trade adjustment assistance in the time these trade agreements languished. To me, it is highly ironic that we not only passed

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

sent the three FTAs. As for the trade adjustment assistance amendment before us today, I wish to summarize for my colleagues terms within an ex-

panded 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. In any case, I cannot under-

stand why we would expand this ineffect-

This summer I was surprised to learn from an article in the Wall Street

Journal that the Department of Labor that to Congress intended to demon-

strate that the numerous Trade Adjustment Assistance Programs actually improve the employment outcome for TAA par-

Participants. Yet today we are considering an amendment to authorize the program for 3 years but to make many of the benefits retroactive. Be-

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 latest 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. 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 disagree. 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 entitlements, this economic 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”—would 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 benefit credits for the repurposing government workers, the former Solyndra employees have applied to the Department of Labor 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 $1 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.

Fourth, the program is fundamentally unfair. Suppose one of our fellow Americans loses his job because his company 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 in a 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 generous 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 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 greater than those received by others. Unfortunately, encouraging vicious cycles appears to be an objective to this administration when it comes to TAA. Today all workers who lose their jobs are entitled to TAA. Let’s share with you another one. As I said, I suspect this program, like ObamaCare, is going 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 re-allocation allowances and increase the TAA Program’s cost.

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workers and helps build support for trade. I think just the opposite is true. Unions and other antidote zealots gleefully use TAA data to make the case that trade causes outsourcing and job loss. After all, the number of trade-adjustable workers is certified by the government.

As the program is expanded to include more and more people and entities, including community colleges, firms 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 antidote 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 works with 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 confirms that 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 other 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.

That is, I am 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 paying 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 set up. Now and daily, 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 remove 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 PRESIDENT PRO Tempore, 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 the Senator from Ohio for his diligence 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 virtually identical to what 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 and being able to move 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 these 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 that 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 want the ability to negotiate with other countries to open expanded markets for 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, Congress had been 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 way 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 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 United States is simply not a part of that because we do not have trade promotion authority.
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? 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 Scranton, and Altoona. 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 could 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 talk with us. It is a very 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 whom we attached 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, 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 will be given. We want the President 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 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 22 years old. It is a general 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 trade, and we deal with the United States through 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 be the leaders in providing trade adjustment assistance. Then they lose their health care. Then they have to talk to their 12-year-old son and 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, and that is why we vote yes.

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 the President would be pleased if he re-starting, 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 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 fault 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 agreement, just as well, 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 life. Two, you will get assistance. 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 daughter about moving because they lost their home.

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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 our 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 $694 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-twentieth 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 from Republicans, 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 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 the second year 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 cochairman 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 addressed the 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've 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.

This is for reasons other than policy. 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.

I have in my hand a report that was somewhat critical of some of the spending on the National Science Foundation. We can do...
Mr. MENENDEZ. First of all, I appreciate any 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 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 to the maximum amount 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 that.

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 are 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 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 afford 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.

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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 about 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, 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 have 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.
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, and 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 that peace 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 states very clearly that if the Palestinians are 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 told 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, Senator Reid, that even if the United Nations were to recognize the Palestinian State through direct negotiations, 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 Palestinian 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 signed his name 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 that a child 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 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 is a State where I was taught 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 business 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. 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, foreclosures, and anemic recovery. As an opponent of the Federal Government’s approach to the economy, I ask another question: What is it that we set out to do? 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 the last year, 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 is 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 Federal Government’s approach to the economy, 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 greatest State, 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. If 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.”

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.

The American dream is critically important to those whom we wish to represent. Sometimes the wishes of the people are critically important to those whom we wish to represent. Sometimes the wishes of the people are critically important to those whom we wish to represent.

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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 ideas. I think we have a future together 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 brand new 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 one 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 keep 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 by those 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 more are crystal clear 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 repackaged 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 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 discussed today, and especially to the valuable Casey-Brooklyn-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.

So 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 re-employed 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 college system. 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 tram-poline, where, in effect, people can get a modest amount of assistance, and 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.

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 economic engine, the 20th-century dynamic market in the world. The result is, we can have Americans losing jobs through no fault of their own.

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 come from company-provided 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, said we can't 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 this 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 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, and talk straight to them.

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 and his emphasis on 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 $25 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 at least it's out there. But 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. 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 be the war effort for a decade 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 $8.2 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 $6.2 trillion. 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 physicians 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? 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 unpalatable. There is no way to pay for the President's assumption. We will pay $293 billion, which means the 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 changes. For example, if you cut 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 $1.4 trillion is 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 would increase spending by $2 trillion over 10 years, which would create a deficit. Indeed, early in the year he suggested we should have a plan that would have $3 in spending cuts for every $1 in tax increases. But is this accurate? Is it true we are spending $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—not on net.

In the President’s plan he 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 rounded up the $459 billion during his time. The lowest deficit under today’s plan—the lowest over 10 years—would be $76 billion in the out-years, 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 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 at a loss of confidence.

Over the next 10 years, deficits would total $54.4 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 percentage points in GDP, 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 Reinhardt—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, and GDP growth is the driving 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, 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. 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 our economy more competitive.

I want to thank the Senator’s hard work and am looking at his proposal and thank him for contributing positively to the debate.
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 products.

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 any 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 2002 version of trade promotion 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 Wto. Since that time, China has grown 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 on state-owned enterprises, 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 Bauccus is opposed to this amendment. He, such as myself, has made it clear we’re 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 Promotion 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 on target on this issue. There is going to be an opportunity in the days ahead to work on this. Chairman Bauccus 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 the 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 look at 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 importance 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.

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 DEPLOYMENT

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 down on 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 Washing-
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 the fiscal cost that is being 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 laying their own agenda. They went there looking for a war 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, 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 the Iraqis 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. Operations 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 the lives of Iraqis and Americans in danger that 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-Qaeda and other terrorist groups. That is why our focus must be, and that is why I am saying let’s end this war for good.

I yield the floor.
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 lifetime.

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 crisply 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, Delaware. 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 one 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 instruction 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 the fact 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. The President has 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 they had gotten 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 and that gave him—Presi- dential—whoever that is and whenever that is—would have the ability to con- tinue, because since we ran out of the trade promotion authority law, we have not had any agreements negoti- ated.

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 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 trans- shipments, 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 prac- tices. So there is a penalty on the country that is using those unfair prac- tices to compete. But then what that country does is they start labeling the product as if it were somewhere else and they may sell that 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 is that country. 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 not in favor of banking a document of 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 it goes back to the President. It is his opportunity for American workers to send their prod- ucts to other countries.

One of these agreements that has been there for a long time is the agree- ment 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 are competitive. It 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 Can- ada has. Right now, they do not have that advantage. We need to see that they do.

As to Korea, the European Union ne- gotiated 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 thing that is better for the U.S. is that the 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 coun- try 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 products 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 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 given 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 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 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 can create 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 revival 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 works, 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, to 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 that 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 1.6 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 compounding of 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 do not pass 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 supposed to be a date movie—and 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 increase by up to 40 percent while 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. Senator Bernie Sanders from Vermont brought that fact to us. Why the tears for those 400 families?

One of those people, Warren Buffett, came to my 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 think 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 the tears. Why the tears? 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? Is it the moral thing to do? Is it the fair thing to do? Is it the fair thing to do? Our country needs everyone to help us as we tackle the deficit. So why cry? 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 would seize 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, 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 Republicans are crying their tears for the millionaires and billionaires? 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 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 another time. We were on the verge of losing another time when unemployment is over 9 percent, I simply can’t understand why the President continues to hold up these FTAs and their 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 new jobs. By the time 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 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 foreign 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. At that time, we warned that further delay would mean lost market share and alienation of key foreign allies. We also made it clear that the pending McConnell amendment No. 626 be modified with the DeMint language which is at the desk; and Senator HATCH had also been 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 expiration of the time or until 5 p.m., Calendar No. 169 be confirmed and the Senate proceed to vote without intervening action or debate; that no further motions be in order or made to any of those 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 ordered 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 motions 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:

TITeL III—TRADE PROMOTION AUTHORITY

SEC. 201. SHORT TITLE.

This title may be cited as the “Creating American Jobs through Exports Act of 2011”.

SEC. 202. RENEWAL OF TRADE PROMOTION AUTHORITY.

(a) in general.—Section 201(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803(b)), as amended by section 202 of the Trans-Pacific Partnership Agreement and Certain Other Agreements, is amended—

(1) in subsection (1), by striking paragraph (A), (B), and (C) of section 201(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803) as amended by section 201(b) of the Trans-Pacific Partnership Agreement and Certain Other Agreements, is amended—

(1) in subsection (c), by striking the comma at the end and inserting “, or’’;

(b) in paragraph (2), by striking subparagraphs (A), (B), and (C) and inserting the following:

(2) establishes a Trans-Pacific Partnership;”;

and

(C) in the flush text at the end, 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”;

(2) in subsection (b), 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”; and

SEC. 303. MODIFICATIONS OF 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 202 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 congressional 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 throughout the administration.

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 Chairmen CAMP and Senator BAUCUS, 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 agreements. By requiring 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, we 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 “How A Trade Agreement Moves Through Congress Under TPA.” This was obtained 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 strong opposition to 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 remains weak 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 when he delays trade agreements.

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 9.4 percent. And, just last month, 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, the President needs 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. Helping our 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 into law.

AMENDMENT NO. 641 TO AMENDMENT NO. 631
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 61.

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 programs 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 not 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 ashamed 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. 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 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 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, in the practice we followed during President Bush's two terms, when consensus judicial nominees reported without any objection by the Judiciary Committee were confirmed 48 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 grow. 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 to 55 by the end of their tenure. 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. By early September in the third year of the Obama administration 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 the peak 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 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 the stalling of 29 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.

There is a consensus among 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 all 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 across 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 of the most pointed criticism 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 both the first and second year 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 I 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 of his administration, 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 confirmation, the Senate—much 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 and efficiently.

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 for 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 served as the State Public Defender, was nominated to the St. Louis Circuit Court, and then served as a State Prosecutor. 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 support from their home State Republican and Democratic Senators. Both have been 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 favorably. 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 or anything. The Senate 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. 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. Further 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. I said: 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 natural beauty has proven to be a fortressing 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 center. The Air National Guard has 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 formed 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 of 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. There 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. They said goodbye, and they were proud of them.

When these students arrived at school, they were caked with mud. They didn’t look like the children who normally go to school. They did not look like the children who normally go to school. 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 devastation and back to 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 were 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 Americans 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, are you 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 consider necessary 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. He 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 nominations from Senator LEAHY. 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.
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 the Senate advise and consent to the previous order, Calendar No. 169 is confirmed.

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.

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 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 the President—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 Kentucky.

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 too extension 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. McConnel.

Mr. McCONNEL. 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. BINGAMAX) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?
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, as I have said, to 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 when we see the developing 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, we 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 incentive 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 important to every Senator. That issue is Hurricane Irene, and the Senate 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, we 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 incentive 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.

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I yield the floor.
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 tornados that came through. Some of the weatherologists 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.

Former Secretary of Defense, who had declared that 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 are not leaving. They are trying and are coming 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 fires 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 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—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 aid 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 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 that 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 do the long term planning. We have to have public meetings with people.

I have been through this and lived through this. You have to have a lot of 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. It will take months, 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 future, met with us—it is 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.

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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 future, met with us—it is 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.
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 make a difference, 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 as to whether there would be 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 explain 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—this is the 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 change. 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 that state, 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 wait three 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 do that? 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 is 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, rush that, that 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 hogwash 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 when this debate started: Here is what Tom Ridge said last week during disaster response, Tom Ridge himself? What all our debates are 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 appropriation 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.

This is what Tom Ridge said last week when this debate started.
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 community leaders 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 people are still in shelters. They are not sure what to do. They have very limited tools. They are not sure what they can do.

Well, I want to say again that 1994 was the last time this Congress passed legislation that was inappropriately appropriated. Mr. President, I have heard that as well. And when this Appropriations Committee has bills come, this money can be tucked into these bills and help will be on the way, they will say.

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 getting 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 committees. 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 SCOTT and Senator TOOMY 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. 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, 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.
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 here,” said Dr. David 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 Middleboro 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 1968, 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 1970’s. They moved up here, got a new building and expanded the curriculum. They’ve been doing a splendid job here in allied health,” said 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 major 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 in fact individuals are good for 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 stand humbly 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 such postcard with a stamp from overseas that was signed “An Army Soldier.” I would like to have my 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 divides all National Guards—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 unified in a common cause. I am glad to express the bipartisan and bicameral consensus 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 the USS Shreve, 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's degree in naval operations 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 on shore, 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 European theater’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 32nd 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. Focusing 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 operations, 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 voracious proponent of resourcing the war by expanding counterinsurgency capabilities and fostering closer ties with strategically vital Pakistan.

Not forgetting that those who returned 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 true reward is the satisfaction he must feel for a lifetime of service to a country he so deeply loves. Admiral Mullen’s commitment to 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 his retirement. He and Deborah continue to proudly support their sons, John and Michael, as they pursue their own unified service in support of the world’s greatest Navy.

The U.S. Navy and our military will forever 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, Ohio, where he will take on additional responsibilities during his career as the director, and in announcing his retirement to the Mahalia Jackson Early Childhood Academy, Sacred Heart Catholic Church, First Baptist Church of Norco, and dozens of other projects and more than 350 key words in all of that is WE.''

Dan Flowers has had many achievements during his career as the director, and in announcing his retirement to his family, for all they have given and continue to give our country. We remain in their debt.

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's degree in civil engineering. Enjoying his work with the State, 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.

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TRIBUTE TO DAN FLOWERS

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 optimism 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 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 multicompny 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. He was 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 Convent, 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 as a mentor and counselor 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 will certainly use more people like Mr. Henry.

Above all else, Mr. Henry was devoted to his family’s 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 am my colleagues to join me 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 this 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's degree in civil engineering. Enjoying his work with the State, 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.

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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 also represented Arkansas on the Transportation Committee of the American Association of State Highway & Transportation Officials and the American Association of State Highway and Transportation to chairman of the American Association 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 also 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 South Dakota. 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 designers 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 benefited 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, Western, 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 entrance 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 label, 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 as its new location came to life 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 15, 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, the Red River County Fair, the 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 Margaret retired from 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. She has always been a 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 been a key part of her 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-loved 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 I am delighted to join with her family and friends in congratulating her on this occasion.

REMEMBERING VICTOR BUSIE

Ms. LANDRIEU. Mr. President, I come before you today to celebrate the life and contributions of Louisianiana’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 native of Breaux Bridge, 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 achievement of Mr. Bussie. I 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 Louisiana, 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 she could. Over 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 the trapped miners and 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 young child who served. With every move, family members 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 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 plays a role in supporting the children of her remote 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, selfless social and devotional 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 Greenlee is among 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 Eielson-Denald R. Richard 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 and served 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 Greenlee home has been Mississippi, Washington, Illinois, 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.

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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 travelled to remote bases in my home State of Alaska to see 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. Philip was born 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 role model 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-3394. 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–A390) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3395. A communication from the Senior Program Analyst, Federal Aviation Administration, Board of Contract Disputes, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Hawaiian Islands, HI” (RIN2120–A496) 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 for Tax Policy.*

*Maurice B. Foley, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years.*

*Samuel J. Vasquez of Texas, to be a Judge of the United States Tax Court for a term of fifteen years.*
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*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. KROK, 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. INHOFÉ (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 active 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. 719. 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. 356
At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 356, 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. 707
At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 707, 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. HICKIN) 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. 1198
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. MARCANTONIO) were added as cosponsors of S. 1198, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1197
At the request of Mr. JOHNSON of South Dakota, the name of the Senator from California (Ms. BOXER) was added as a cosponsor of S. 1197, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 1383
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. 1234
At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1234, 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. 1361

At the request of Mr. NELSON of Florida, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1361, 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. 1378

At the request of Mr. COBURN, the names of the Senator from Georgia (Mr. CHAMBILIES), the Senator from Wyoming (Mr. BARRASSO), and the Senator from Utah (Mr. LEE) were added as co-sponsors of S. 1357, a bill to provide protections from workers with respect to their right to select or refrain from affiliations with labor organizations.

S. 1398

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARSON) was added as a cosponsor of S. 1398, a bill to extend loan limits for Federal Housing Administration, the government-sponsored enterprises, and the Department of Veterans Affairs, and for other purposes.

S. 1414

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. DE MINT), 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 multiloton 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 of coal and other 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. 2932, 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 Oceans, Safe Beaches, and Healthy Aquatic Life 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 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 closures.

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 nations 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; to offer tax credits for the production or use of renewable energy, 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 the 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 remember one member who has climate 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 were concerned about 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 empty-handed 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 available in the past, and it has been sporadic and patchy. 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, while and to divert some of this money to residential storm shelter construction. However, 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 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 it 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 cap. Mind you, I'm 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. I believe FEMA structures these programs when States go to the trouble of requesting them. All told, FEMA's sporadic Hazardous 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 for that expenditure. 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 take advantage of these 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 to do. This is why I would 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 of money to go to the States 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.

Furthermore, 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 avoid or reduce 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 lessen 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 one tornado alley, it's 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 and 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 story, I remember 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 applaud the Senator from Missouri, who is going to speak next, co-sponsoring 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 co-sponsor 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 co-sponsor with him provides an opportunity to get that storm shelter nearby.

SUBMITTED RESOLUTIONS

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:

That the Senate—

(1) congratulates the athletes, parents, and coaching staff of the Nunaka Valley Little League junior girls softball team manager, Richard Knowles, coaches Rick Peterson and Richard Hill.

(2) recognizes the Nunaka Valley Little League junior girls softball team on its impressive 2011 season; and

(3) 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. BACUS) 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 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 2001 (Public Law 107–188) 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, supra; which was ordered to lie on the table.
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. BLUMENTHAL) 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 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:

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 7 and 8, insert the following:

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:

The end, add the following:

TEXAS OF AMENDMENTS

SEC. 211. 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 amendment 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.

SEC. 212. 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)(i), by striking “contributed importantly to”;

(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”;

(3) in subsection (c), as redesignated and amended by section 211(a), by striking paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(b) Trade Adjustment Assistance for Firms.—Section 231 of the Trade Act of 1974 (19 U.S.C. 231) is amended—

(1) in subsection (a), 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

(2) 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. 2401c(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.

SEC. 221. 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.

SEC. 231. 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 9002.52.08 (relating to woven cotton).

(2) Heading 9002.52.09 (relating to woven cotton).

(3) Heading 9002.52.10 (relating to woven cotton).

(4) Heading 9002.52.11 (relating to woven cotton).

(5) Heading 9002.52.12 (relating to woven cotton).

(6) Heading 9002.52.13 (relating to woven cotton).

(7) Heading 9002.52.14 (relating to woven cotton).

(8) Heading 9002.52.15 (relating to woven cotton).

(9) Heading 9002.52.16 (relating to woven cotton).

(10) Heading 9002.52.17 (relating to woven cotton).

(11) Heading 9002.52.18 (relating to woven cotton).

(12) Heading 9002.52.19 (relating to woven cotton).

(13) Heading 9002.52.20 (relating to woven cotton).

(14) Heading 9002.52.21 (relating to woven cotton).

(15) Heading 9002.52.22 (relating to woven cotton).

(16) Heading 9002.52.23 (relating to woven cotton).

(17) Heading 9002.52.24 (relating to woven cotton).

(18) Heading 9002.52.25 (relating to woven cotton).

(19) Heading 9002.52.26 (relating to woven cotton).

(20) Heading 9002.52.27 (relating to woven cotton).

(21) Heading 9002.52.28 (relating to woven cotton).

(22) Heading 9002.52.29 (relating to woven cotton).

(23) Heading 9002.52.30 (relating to woven cotton).

(24) Heading 9002.52.31 (relating to woven 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 Extension Act of 2006 (Public Law 109–422, 120 Stat. 4360) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “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 “that produce ring spun cotton yarns in the United States” after “of pima cotton”;

(B) in subsection (2), in the matter preceding paragraph (1), by inserting “annually” after “provided”;

and

(C) 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 “the States” and inserting “in the United States” after “cotton yarns”;

(B) in paragraph (1), by inserting “annually” after “provided”;

and

(C) in paragraph (1)—

(i) by striking “grown in the United States” and inserting “during the year in which the affidavit is filed”;

(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 the table; as follows:

At the end, insert the following:

TITLE II—CURRENCY EXCHANGE RATE TRANSPARENCY

SECTION 01. SHORT TITLE.

This title may be cited as the “Currency Exchange Rate Transparency Act”.

SEC. 02. DEFINITIONS 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 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 described in this subsection.

(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) only by the affirmative vote of a majority of the Members of the Senate, duly chosen and sworn.

(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 be subject to appeal. 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 subject to an appeal by the 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 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:

TITILE II—TRADE ADJUSTMENT ASSISTANCE

Sec. 200. Short title; table of contents.

Sec. 211. Group eligibility requirements.

Subtitle A—Extension of Trade Adjustment Assistance

PART I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE

(a) REPEAL OF SNAPBACK.—Section 1893 of title II of the Trade Act of 1974 is repealed.

(b) APPLICABILITY OF CERTAIN PROVISIONS.—Sections 411 of title II of the Trade Act of 1974 and 201(b) 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 a provision of title II of the Trade Act of 1974 is in effect, it shall be deemed that the provisions of title II of the Trade Act of 1974 are in effect on February 12, 2011, and as amended by this subtitle, shall—

(1) apply to the effect on the date of the enactment of such Act; and

(2) apply to the effect on the date of the enactment of such Act.

(c) REFERENCES.—Except as otherwise provided in this subtitle, whenever in this subtitle a provision of title II of the Trade Act of 1974 is in effect, it shall be deemed that the provisions of title II of the Trade Act of 1974 are in effect on February 12, 2011, and as amended by this subtitle, shall—

(1) take effect on the date of the enactment of such 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.

PART II—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Sec. 211. Group eligibility requirements.

Subtitle A—Extension of Trade Adjustment Assistance

PART I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE

(1)短语。——这项标题可称为“贸易调整援助延期法案”。
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;

(2) in paragraph (3)(B) by striking “(D), (E), or (F)” and inserting “(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 LAST PAYMENT 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 223 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”;

(B) in paragraph (3)—

(i) by striking “78-week period” each place it appears and inserting “78-week period”;

(ii) by adding a subsection 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, and unless 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)—

(i) in the matter preceding clause (1), 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”;

(ii) by striking clauses (i) and (ii) and inserting the following:

“(i) $375,000,000 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) as paragraphs (7) through (18), respectively;

(b) Limitations on Administrative Expenses and Employment and Case Management Services.—

(1) in paragraph (3), by striking “91-week period” each place it appears; and

(2) in subsection (b)—

(A) by striking paragraphs (7) through (18), respectively;

(B) in paragraph (1)—

(i) by striking “An adversely affected worker” and inserting “(A) has substantially met the performance benchmarks established as part of the training approved for the worker;”;

(ii) by striking “(B) and inserting “(B) by striking “may” and inserting “to”; and

(iii) 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) by striking “$55,000” and inserting “$50,000”;

(c) Reallocation of Funds.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)) is amended—

(1) by striking the “February 12, 2011” and inserting “December 31, 2013”;

(2) in section 237(a), by striking “$12,000” and inserting “$10,000”;

(3) in section 237(b), by striking “$12,000” and inserting “$10,000”;

(4) in subsection (b), by striking “$1,500” and inserting “$1,200”;

(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 “(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”;

(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) by striking “$1,500” and inserting “$1,250”;

(3) in subsection (c), by striking “the Secretary shall and inserting “(e) RELOCATION ALLOWANCES.—Section 238 of the Trade Act of 1974 (19 U.S.C. 2296) 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) by striking “$5,500” and inserting “$1,500”;

(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 “appropriate” and inserting “appropriate”;

(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”;

(B) in subparagraph (B)(i), by striking “$12,000” and inserting “$10,000”;

(C) by striking “February 12, 2011” and inserting “December 31, 2013.”.

SEC. 216. PROGRAM ACCOUNTABILITY.

(a) Core Indicators of Performance.—

(1) in General.—Section 239(b)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2311(j)(2)(A)) is amended to read as follows:

“(A) 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; and

(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); and

(iii) the average earnings of such workers who obtained a recognized postsecondary credential, obtaining 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 this section—

(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. 2321) entered into before, on, or after October 1, 2011.

(b) COLLECTION AND PUBLICATION OF DATA.

(1) IN GENERAL.—Section 249(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”;

(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 adding subparagraph (B) to read as follows:

“(B) The number of workers who complete training 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 duration of training that does not include remedial or prerequisite education” after “training’;’;

(iv) in subparagraph (E), by striking “duration’” and inserting “average duration’’;

(v) in subparagraph (F), by inserting “and the average duration of the training that was completed by such workers’’ after “training’’;

(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(i) 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(b)(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 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 subchapter.

(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 payments to the States, under paragraphs 235 through 238 used for training, in the aggregate and by each State.

“(C) The total amount of payments to the States, under paragraphs 235 through 238 used for the costs of administration, in the aggregate and by each State.

“(D) The total amount of payments to the States, under paragraphs 235 through 238 used for job search and relocation allowances, in the aggregate and by each State.’’;

(2) EFFECTIVE DATE.—Effective not later than October 1, 2012, the Secretary shall prepare a report containing data required by this amendment.

(3) ANNUAL REPORT.—Section 249(b) of the Trade Act of 1974 (19 U.S.C. 2323(b)) is amended by striking “February 15’’ and inserting “February 15, 2011.”

(c) 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:

“(b) DATA ON SPENDING.—

“(1) The number of workers who complete training under section 236;

“(2) The number of petitions certified and denied by the Secretary under section 255;

“(3) The number of petitions filed and denied by the Secretary under section 255;

“(4) The average time for processing petitions after the petitions are filed;

“(5) The number of firms that received assistance under this chapter and in each State;

“(6) The number of firms that received assistance under this chapter and in each congressional district of the United States;

“(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 255(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 255 for the projects of such organizations.

“(c) REPORT TO CONGRESS; PUBLICATION.—

The Secretary shall 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 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 Secretary determines that the confidentiality of the information is not necessary to the protection of the interests of national security or to the protection of such information.

“(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Secretary from providing information to the Congress or to the legal counsel of the Congress to the extent necessary to discharge the duties of the Congress.


“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 redesigning sections 276 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 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”;

(D) by striking the period at the end and inserting “; and”;

(E) by striking the semicolon and inserting “; and”;

(F) by striking clauses (ii) and (iv); and

(G) by redesigning clause (v) as clause (iii); and

(H) in subparagraph (B), by striking “(A)(v)” and inserting “(A)(iii)”;

(I) in clause (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 “27(b)(2)” and inserting “27(b)(2)”.

(c) DILERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the items relating to chapter 4 of the Trade Act of 1974, as in effect on February 12, 2011, and in the 10 fiscal years preceding the date of the enactment of this Act.

Section 271. Community College and Career Training Grant Program.

Sec. 272. Authorization of Appropriations.

Section 223. TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.

(a) ANNUAL REPORT.—

(1) In the case of adjustment assistance under section 223(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 number of agricultural commodities that are produced and the aggregate amount of such commodities produced in each such State or region.

(3) The number of petitions certified and denied by the Secretary.

(4) The average time for processing petitions.

(5) The number of petitions filed and agricultural commodity producers approved for each congressional district of the United States.

(6) Of the number of workers approved, the number of agricultural commodity producers that entered the program and received benefits.

(7) The number of petitions certified and denied by the Secretary.

(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 the Trade Act of 1974.

(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.

(20) 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.

(21) The average duration of the participation of such workers in training under section 226.

(22) The average dollar amount of grants awarded under this section.

(23) The average duration of grants awarded under this section.

(24) The percentage of workers receiving benefits under chapter 2 who obtained a degree through such programs.

(25) The average duration of the participation of such workers in training under section 226.

(B) 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) Effective Date.—The Trade Act of 1974, as redesignated by subsection (a)(3), is amended—

(A) in subsection (e)—

(i) in paragraph (4)—

(I) IN GENERAL.—

(ii) ANNUAL REPORT.—

(B) ELIGIBILITY FOR BENEFITS.—

(I) In General.—Except as provided in clause (ii), a worker certified as eligible to receive benefits pursuant to a petition described in paragraph (19) of section 222 of the Trade Act of 1974 pursuant to a petition described in clause (ii), the Secretary shall—

(aa) certify the group of workers as eligible to receive benefits under section 222 of the Trade Act of 1974 on or after February 13, 2011; and on and before 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 that date of enactment.

(II) ELECTION FOR WORKERS RECEIVING BENEFITS ON THE 60TH DAY AFTER ENACTMENT.—

(I) In General.—A worker certified as eligible to receive benefits pursuant to a petition described in this chapter is a worker for a certification of eligibility for a group of workers filed under section 222 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(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 the date of the enactment of this Act, to certify the group of workers as eligible to apply for adjustment assistance.

(III) PETITION DESCRIBED.—A petition described in this chapter is a petition for a certification of eligibility for a group of workers filed under section 222 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(II) EXTENSION.—Section 298(a) of the Trade Act of 1974, as in effect on such date of enactment,

(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.

(d) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974, as in effect on such date of enactment, shall be amended by striking ‘‘February 12, 2011’’ and inserting ‘‘February 13, 2011’’ before the worker makes the election described in clause (i) of section 222 of the Trade Act of 1974, as in effect on such date of enactment.
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 after January 1, 2014.

February 13, 2011, whichever is applicable after the election of the worker under subsection (i).

(a) Terminations 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—

(1) 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 May 17, 2009.

(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 that date.

(B) Reconsideration of denial of certain petitions.—If, before the date of the enactment of this Act, the Secretary made a determination of ineligibility for a firm 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 that date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) Petition described.—A petition described in paragraph (B) as eligible to apply for adjustment assistance 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 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.

(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 or before the date of the enactment of this Act; and

(ii) the provisions of title II of the Trade Act of 1974, as in effect on that date of enactment, had been in effect on that date during the period described in clause (i).

SEC. 232. TERMINATION PROVISIONS.

(a) In general.—Section 223(b) 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”; and

(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—”;

(B) in subparagraph (A), by striking “petitions and” and inserting “petition and”;

(C) in subparagraph (B), by substituting “130-week period” for “130-week period”;

(D) in paragraph (1), by substituting “60” for “52”; and

(E) in paragraph (2), by substituting “78-week period” for “104-week period”.

(b) Trade Adjustment Assistance for Farmers.—

(1) Assistance for firms.—

(A) In general.—Except as provided in subparagraph (B), assistance may not be provided under this section for any period of eligibility after January 1, 2014.

(B) Exception.—Notwithstanding subparagraph (A), any assistance approved under chapter 3 after December 31, 2013, may be provided—

(i) to the extent funds are available pursuant to such chapter; and

(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

(C) Exception.—Notwithstanding paragraph (A), any assistance approved under chapter 3 after December 31, 2013, may be provided—

(i) to the extent funds are available pursuant to such chapter; and

(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.

(D) Exception.—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 292 of that Act before January 1, 2014.

Subtitle B—Health Coverage Improvement

SEC. 241. HEALTH CARE TAX CREDIT.

(a) Termination of Credit.—Subparagraph (3) of section 35B(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 "which is issued before February 13, 2011".

(B) Section 7527(b)(2) of such Code is amended by striking "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, 2011, 2012, coverage and inserting "Coverage".

(C) Section 4780B(a)(1) of such Code is amended by striking "February 12, 2011".

(D) Section 178(a)(8) of the Workforce Investment Act of 1998 is amended by striking "February 13, 2011, 2012, coverage and inserting "Coverage".

4. 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 December 31, 2011.

2. Advance payment provisions.

(A) The amendment made by subsection (b)(2)(B) shall apply to certificates issued after December 31, 2011, and before the date of the enactment of this Act.

(B) The amendment made by subsection (b)(2)(D) shall apply to coverage months beginning after December 31, 2011, and before the date of the enactment of this Act.

2. Extension of certain other related provisions.

(A) The amendment made by subsection (c)(2)(B) shall apply to certificates issued after December 31, 2011, and before the date of the enactment of this Act.

(B) The amendment made by subsection (c)(2)(D) shall apply to coverage months beginning after December 31, 2011, and before the date of the enactment of this Act.

3. Effective dates.

1. In general.

(1) In general.

The following provisions are each amended by striking "February 12, 2011", and inserting "January 1, 2014":

(A) Section 602(2)(A)(vi) of such Act (29 U.S.C. 1162(2)(A)(vi)).

(B) Section 602(2)(A)(v) of such Act (29 U.S.C. 1162(2)(A)(v)).


(D) Section 4980B(b)(2)(B)(i)(VI) of such Code.

(E) Section 2202(2)(A)(iv) of the Public Health Service Act (42 U.S.C. 300bb-2(2)(A)(iv)).

(F) Section 4980B(b)(2)(B)(i)(VI) of such Code.

2. Effectiveness 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 before the date which is 30 days after the date of the enactment of this Act.

C. Special Rule Relative to Certain Loss of Coverage.

In the case of a TAA-qualified Plan, the loss of coverage occurring on or before the date which is 30 days after the date of the enactment of this Act, and the loss of coverage occurring on or after the date which is 30 days after the date of the enactment of this Act, shall be extended until the date of the expiration of the Plan's period of eligibility, which is 30 days after the date of the enactment of this Act.


(A) General.

The amendments made by this section shall apply to plan years beginning on or after February 13, 2011.

(B) In general.

(1) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(C) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(D) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(E) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(F) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(G) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(H) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(I) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(J) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(K) In general.

The amendments made by this section shall apply to plan years beginning after February 13, 2011.

(L) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(M) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(N) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(O) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(P) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(Q) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(R) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(S) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(T) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(U) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(V) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(W) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(X) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(Y) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

(Z) In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

AA. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

BB. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

CC. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

DD. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

EE. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

FF. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

GG. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

HH. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

II. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

JJ. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

KK. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

LL. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

MM. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

NN. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

OO. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.

PP. In general.

The provisions of law amended by this section shall apply to plan years beginning after February 13, 2011.
(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 REHIRE 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. 1320c–2(c)(5)), as redesignated by this subsection, 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 E of title XVIII of the Social Security Act to meet the additional requirement imposed by the amendment made by subsection (a), the plan shall not be required 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 subsections (b) and (c) and inserting the following:

"(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 both 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, Payer REVIEW" and inserting "QUALITY IMPROVEMENT";

(B) in the heading for section 1154, by striking "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 CARE 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 "utilization and quality control peer review" and inserting "quality improvement" each place it appears;

(C) in paragraphs (1)(A)(ii)(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";

(F) in section 1869(o)(3)(G), by striking "peer review organizations" and inserting "quality improvement organizations"; and

(G) **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, 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 more quality improvement organizations";

and

(ii) in the second sentence, by striking "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 "the Secretary determines that there is a more qualified 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 (1).

(2) **EXTENSION 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";

(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 REGULATORY AGENCY.—** 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:

"(1) The Secretary may consider a variety of factors in selecting the contractors that the Secretary determines would provide for the most effective and efficient administration of this part, such as geographic location, size, and prior experience in health care quality improvement.

(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 payment 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 1154—

(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 determine whether or not the extent appropriate, seek to ensure that each of the functions described in section 1154 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, 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)—

by striking "Any "impact-" Subject to subsection (b), any; and

(ii) by inserting "one or more of" before "the following functions";

(iii) in paragraph (4), by striking subparagraph (C);

(iii) by inserting after paragraph (1) 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(1)(A), which are performed in the area, or, at the discretion of the Secretary, a sample of such procedures; ‘and"

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 are 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.";

(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 take effect on or after January 1, 2012.

**CONGRESSIONAL RECORD — SENATE**

**September 20, 2011**
SECT. 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)(1), 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)(1), by substituting ‘‘0.1740’’ for ‘‘0.21’’.

SECT. 263. TIME FOR REMITTING CERTAIN MERCHANDISE PROCESSING FEES.
(a) IN GENERAL.—Notwithstanding any other provision of law, any fee authorized under 19 U.S.C. 1625(a) (9) and (10) or section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9) and (10)) with respect to merchandise entered on or after October 1, 2011, 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 paid under paragraph (1).

(B) The Secretary of the Treasury shall refund with interest any overpayment pursuant to subparagraph (A) with respect to any underpayment of such fees paid after November 12, 2011, and before November 12, 2012.

SEC. 264. 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 modernization in 2010, with a focus on Taiwan contingencies, even as cross-Strait relations improved. The PLA seeks to deter Taiwan’s military forces and to modernize its fleet and maintain sufficient self-defense capabilities;’’
(2) China’s air force will remain primarily focused on ‘‘building the capabilities required to sustain 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’’;
(3) China’s air force has nearly 400 combat aircraft in service, far fewer of which are operationally capable of fighting the United States’ fighters. ‘‘A modernized Taiwan’s fighter force 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.’’
(4) 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 18, 2010. The DIA found that, ‘‘[a]lthough Taiwan has nearly 400 combat aircraft in service, far fewer of these are operationally capable of fighting the United States’ fighters. ‘‘A modernized Taiwan’s fighter force 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.’’
(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 maintain peaceful relations with China in areas of mutual interest;

(3) the cross-Strait military balance between China and our 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 multidomain fighter aircraft to modernize its fleet and maintain a sufficient self-defense capability;

(6) the United States has a statutory obligation to provide台湾 with additional advanced multidomain fighter aircraft, as well as significant upgrades to Taiwan’s existing fleet of multidomain fighter aircraft; and

(7) the proposed sale of F-16C/D multidomain fighter aircraft to Taiwan would have significant economic benefits to the United States.

(c) SALE OF AIRCRAFT.—The President shall carry out the sale of no fewer than 66 F-16C/D multidomain fighter aircraft to Taiwan.
the Secretary of the Treasury to be equivalent to amounts received in the general fund that are attributable to the duties 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 authorized by the Secretary to be necessary for—

(1) 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 (Pub. L. 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 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 II—CITRUS DISEASE RESEARCH AND DEVELOPMENT

SEC. 101. SHORT TITLE.

This title may be cited as the “Citrus Disease Research and Development Trust Fund Act of 2011”.

SEC. 102. 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, and the United States; and

(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 spent billions of dollars on equipment to combat diseases 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) the 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 market, United States citrus importers of products into the United States do not directly fund production research in the United States;

(12) research and suppression technologies require determinations of safety and solutions must be commercialized before they are cost effective;

(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 because it is unknown how quickly the pests and diseases will be eradicated;

(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 fund 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 Chairman and Ranking Minority 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 agreement that provides the amount of duties collected on imports of citrus products to less than the amount necessary to provide the grants authorized by section 101 of the Trade Act of 1974, as added by section 3(a) of this Act.

(10) United States producers and consumers.

(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 Agricultural Research Act of 1974 (19 U.S.C. 2364 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) and any amounts that may be credited to the Trust Fund under subsection (d)(2).
transfer funds 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 Ways and Means of the House of Representatives that, on or after the date of enactment of this Act, the President determines that entering into a trade agreement with the United States would be contrary to the national interest.

SEC. 1003. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the purposes of the Citrus Disease Research and Development Trust Fund Act of 2011—

(A) an amount not to exceed $30,000,000, and

(B) such amounts as the Secretary of Agriculture reports to be necessary to meet the purposes of 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 striking the item relating to the Trade Act of 1974 and adding the following:

"SEC. 1002. REPORTS REQUIRED BEFORE ENTERING INTO CERTAIN TRADE AGREEMENTS."

PART I—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

CHAPTER 1—ESTABLISHMENT AND MEMBERSHIP

Section 1001.—

(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, technologies, and technologies discovered pursuant to research funded through the Citrus Disease Research and Development Trust Fund established under this section.

(b) CCRITICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to the Trade Act of 1974 and adding the following:

"Sec. 1002. Reports required before entering into certain trade agreements."

(c) IMPLEMENTATION.—

(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 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.

(III) EXEMPTION.—Except as provided in clause (i), each term of appointment to the Board shall be for 5 years.

(e) INITIAL APPOINTMENTS.—In making initial appointments to the Board, the Secretary shall appoint 1/2 of the members to terms of 1, 3, and 5 years, respectively.

(f) EQUALIZATION OF 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 or alternate 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.

(h) POWERS.—

(I) IN GENERAL.—The Board may accept, use, and dispose of gifts or donations of services or property.

(II) POSTAL SERVICES.—The Board may use postal services at the special rate for Members of Congress for the performance of their official duties.
(C) Voluntary Services.—Notwithstanding section 1932 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 3101(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5303(b) of title 5; 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) Oversight of Board, 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 its functions;

(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 and remedies 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.

(B) 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 fiscal year, 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, technologies discovered during research, and regulations required 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 until after the affirmative support of at least 7 members of the Board.

(C) Secretarial Approval.—

(i) In General.—The Board shall submit to the Secretary without the affirmative support of at least 7 members of the Board for expenses incurred by the Board.

(ii) ENTERING INTO CONTRACTS WITH DEPARTMENTS, AGENCIES, AND OTHER ENTITIES.—The Board may enter into contracts or agreements with the Department and other entities conducting scientific research into the causes and remedies of citrus diseases and pests.

(iii) To hire such experts and consultants as the Board considers necessary to enable the Board to perform its functions;

(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 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 to the purpose described in subsection (a).

(E) Contracts and Agreements.—To ensure the efficient use of funds, the Secretary may enter into contracts with public or private entities for the implementation of a plan or project for citrus research.

(F) Administrative Costs.—Each fiscal year, the Secretary may transfer up to $2,000,000 of amounts in the Trust Fund to defray costs incurred by the Board in carrying out the duties of the Board.

(G) 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 the Senate a report that includes—

(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 "was a substantial cause of" and inserting "was a substantial cause of"; and

(B) in subparagraph (B)(ii), by striking "contributed importantly to" and inserting "was a substantial cause of";

(2) in 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. 2411), is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking "(ii) provisions that are necessary to the implementation and enforcement of such trade agreement.";

(b) 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 amendment intended to be proposed to amendment SA 633 submitted by Mr. HATCH 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:

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 amendment intended to be proposed to amendment SA 633 submitted by Mr. HATCH 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 7 and 8, insert the following:

SEC. 224. MODIFICATION OF TRADE ADJUSTMENT ASSISTANCE ELIGIBILITY REQUIREMENTS.

(1) 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 "was a substantial cause of" and inserting "was a substantial cause of"; and

(B) in subparagraph (B)(ii), by striking "contributed importantly to" and inserting "was a substantial cause of";

(2) in 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. 2411), is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking "contributes importantly to such total or partial separation, or threat thereof, and to" and inserting "was a substantial cause of such workers' separation or threat of separation and to"; and

(B) in paragraph (2)—

(1) by striking paragraph (A); and

(2) by striking "and"; and

(2) by redesignating clauses (1) and (2) as clauses (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left.
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. 2461) is amended by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (5) through (8), 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 II—AFFORDABLE FOOTWEAR**

SEC. 02. FINDINGS.

This title may be cited as the “Affordable Footwear Act of 2011”.

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 necessarily 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:

“S. 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)(1) The term ‘work footwear’ means 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.

(c)(2) The term ‘footwear for women’ means footwear designed to be worn over or in lieu of other footwear as a protection against water, oil, penetration, slippage, or static-buildup.

(c)(3) ‘Footwear for men’ 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’ includes—

(i) footwear with outer soles not over 3.5 mm in thickness, consisting of cellular rubber, non-grain 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 2014 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:

<table>
<thead>
<tr>
<th>Harmonized Tariff Schedule (HTS)</th>
<th>Description</th>
<th>Tariff Status</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>9902.64.25</td>
<td>Vulcanized rubber lug boot bottoms for actual use in fishing waders (provided for in subheading 6401.92.90)</td>
<td>Free</td>
<td>No change</td>
</tr>
<tr>
<td>9902.64.26</td>
<td>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)</td>
<td>Free</td>
<td>No change</td>
</tr>
<tr>
<td>9902.64.27</td>
<td>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, 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)</td>
<td>Free</td>
<td>No change</td>
</tr>
<tr>
<td>Item Number</td>
<td>Description</td>
<td>Tariff Treatment</td>
<td>Effective Date</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------------------------------------------------------------------</td>
<td>------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>9902.64.28</td>
<td>Footwear (other than vulcanized footwear and footware 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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.29</td>
<td>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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.30</td>
<td>Tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.91.90).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.31</td>
<td>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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.32</td>
<td>Footwear (other than vulcanized footwear and footware 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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.33</td>
<td>Footwear with outer soles and uppers of rubber or plastics, other than house slippers (provided for in subheading 6402.99.40).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.34</td>
<td>Footwear with outer soles and uppers of rubber or plastics other than house slippers (provided for in subheading 6402.99.70).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.35</td>
<td>Footwear with outer soles and uppers of leather, covering the ankle, other than footwear for women (provided for in subheading 6403.51.90).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.36</td>
<td>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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.37</td>
<td>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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.38</td>
<td>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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>9902.64.39</td>
<td>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).</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
</tr>
<tr>
<td>Title</td>
<td>Status</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------</td>
<td>----------------------------</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>Footwear for women other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued over $12/pair (provided for in subheading 6403.91.90)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>Tennis shoes, basketball shoes, gym shoes, training shoes and the like for youths and boys (provided for in subheading 6403.99.60)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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 6404.11.90, 6404.11.95, 6404.11.70 or 6404.11.80)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>Ski boots, cross country ski footwear and snowboard boots for men or women (provided for in subheading 6404.11.90)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
<tr>
<td>Footwear with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.19.35)</td>
<td>Free No change No change</td>
<td>On or before 12/31/2016</td>
<td></td>
</tr>
</tbody>
</table>
9092.64.54 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

9092.64.55 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

9092.64.56 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

9092.64.57 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

9092.64.58 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. 96. EFFECTIVE DATE.
This title and the amendments made by this title—
(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 objection, 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 Senate, 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.

PRIVILEGES OF THE FLOOR
Mr. MENENDEZ. Mr. President, I ask unanimous consent that Andi Lipstein Fristedt, a detaillee 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 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 Evislizer, Stephen McGraw, and Claire Green.

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

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 hours to be declared to 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.

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.
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 stories in the 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 KVEN-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 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 the 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. Mr. Speaker, I rise today 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

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, this week, the Interdependence Day celebration, 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 our 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 interest 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 Tribe 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 non-consecutive 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 tribal 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 Automotive 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 Automotive 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 Automotive Dealers Association.
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 cleanups 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 selfless public service. Gail served our nation in the Armed Services during the Korean War, dedicated his life to ensuring 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, and 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 friends to many Missourians. He was friend of mine. I will miss him.

COMMEMDING 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 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 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 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, and 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.


HON. DANIEL E. LUNGRÉN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. DANIEL E. LUNGRÉN 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 all of his endowees 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 employeers we recognize today are acknowledged and commended for their hard work, dedication, professionalism, support of House Members, and their staff and the American public and for their contributions as inputs and day-to-day 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 provide the most efficient and effective 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:

Gretchen Espinosa, 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 the 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.

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 20, 2011

Mr. HOYER. Mr. Speaker, I rise today 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 Handgum 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 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 police 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 threat 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 3,600 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 the tools it needs 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 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 Bechtel BWXT’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 BWXT 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 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, hard-working 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.

Mr. Douthit 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 Association, 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.
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. SANCHEZ of California. Mr. Speaker, 100 years ago on October 10, Sun Yat-sen, a Chinese doctor, led his people to overthrow the dynamic 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 bilingually.

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 a historic 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 to serve 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 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, or the Bustling 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,

It is my greatest 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, 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 Tobias, 21, was working as a valet at Elko 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. Tobias, 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 Tobias, 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 did not consider himself 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, Tobias returned to work after the event even though his arms were still covered in blood and his own child’s life. His boss, Mr. Grisanti, said of Tobias, “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 Tobias. 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. Tobias 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 Tobias, for your 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 their 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.


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 arthritis and 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 meeting of this group will take place 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 disparities.

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 exacerbation 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 BETWEEN 1ST AVENUE AND FRANKLIN D. ROOSEVELT DRIVE AS PHILIP REED WAY

HON. CHARLES B. RANGEL

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 man to hold public office in New York City.

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.

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.
Calhoun County Board of Education for two six-year terms. Liz is married to Ronald Deck-er.

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 sac-rificed 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 mem- bers 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 ANNIVER-
SARY 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 Secrecy, who have shown twenty-five years of broadcasting in New York City. As I speak with profound elation, I as-cend 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, edu-cational 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 program-ming and has 20,000 terrestrial, Internet lis-teners weekly, and 8,000 Internet viewers. The station has served for twenty-five years as the voice of a community that is greatly un-derserved 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 en-tertainment 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 an-nual “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 Wal-lters, the owner of “Creole Supper Club,” lo-cated 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 experi-ences, 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., Wyctiff 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 Se-ries.

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 moral and physical tenacity throughout the Dixie Boys championship. This is especially true for their victory over the reigning champion of the Dixie Boys cham-pionship, 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 lit-tle league coach and one who grew up playing baseball in, as well as a charter member of a baseball organization, I appreciate the dedication, determination, and teamwork that earned these players the esteemed title of Na-tional Champions.

Mr. Speaker, the members of the Brunswick County baseball team deserve acclaim for their skill as well as for being outstanding am-bassadors 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, Blair Hollis, Randy McWright, Clark, Jerry Martin, Shelton Perkins, Gar-rett Scoggins and Dylar Darguzas. Coaches were Bobby Scoggins, Randy Fennell and Jefrey Hollis.

Mr. Speaker, I wish to honor and acknowl-edge accomplishments of not only the Bruns-wick County team, but also the parents, rela-tives and citizens who were so supportive of their children’s efforts throughout this cham-pionship season. Of equal mention are the coaches and assistant coaches who were in-strumental 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 of all 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 were signed by Ralph Bunche and 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-member requirement for the Charter was obtained. On June 16, 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, Gisster 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, Fund-raising, 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. On the third Thursday of each month the Mid-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 Thaileher 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 who 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 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 Texas freedom fighters started assembling in an old beat-up mission in San Antonio. Juan Seguin 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 mission and run-down 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, I know that no truer words have ever been spoken than those penned by my countryman, William Barrett 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. And I just look back on the letter 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,” come to me 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.

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 freedom fighters, you know that no truer words have ever been spoken. There’s just something about a Texas warrior.

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 chart 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 legacy of accomplishment and achievement, there is no question on how she has lasted over 50 years in the music business. As she looks forward to her 50th anniversary in the music industry, 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.

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 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.

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, I had the opportunity to visit the Friends of Kurdistan Foundation’s office in Erbil. In addition to inviting me to meet with the Friends of Kurdistan Foundation’s leadership, I was introduced to the Kurdistan Regional Government, 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.

“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 the Kurdistan Region, 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.

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.

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.

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.

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.

Nominations Confirmed: Senate confirmed the following nominations:

John Andrew Ross, of Missouri, to be United States District Judge for the Eastern District of Missouri.

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.

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:
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.

Additional Cosponsors:

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).

Speaker: Read a letter from the Speaker wherein he appointed Representative Harris to act as Speaker pro tempore for today.

Recess: The House recessed at 12:25 p.m. and reconvened at 2 p.m.

Committee Resignation: Read a letter from Representative Wasserman Schultz, wherein she resigned from the Committee on the Judiciary.

Recess: The House recessed at 2:25 p.m. and reconvened at 3:33 p.m.

Recess: The House recessed at 3:48 p.m. and reconvened at 3:54 p.m.

Suspensions: The House agreed to suspend the rules and pass the following measures:


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 2/3 yea-and-nay vote of 398 yeas to 18 nays, Roll No. 713;

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 2/3 yea-and-nay vote of 412 yeas to 3 nays, Roll No. 714;

Combating Autism Reauthorization Act of 2011: H.R. 2005, to reauthorize the Combating Autism Act of 2006; and

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.

Recess: The House recessed at 4:27 p.m. and reconvened at 6:30 p.m.

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 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 deemed 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.


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 Krajewski, 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.

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 Energy and Commerce: Full Committee, hearing entitled “A Call to Action Preparing for a Second Century of Stewardship and Engagement” 2:30 p.m., SD–366.

Committee on Education and the Workforce: Subcommitteee on Employer-Employee Relations, hearing entitled “Education Reforms: Ensuring the Education System Is Accountable to Parents and Communities.” 10 a.m., 2175 Rayburn.

Committee on Oversight and Government Reform: Full Committee, hearing on Creating Employment and Reviving Communities in the Gulf of Mexico by Addressing 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 Veterans’ Affairs: to hold joint hearings to examine the legislative presentation of The American Legion, 10 a.m., SDG–50.

Committee on Ways and Means: Full Committee, hearing entitled “Legislative Proposals To Facilitate Small Business Capital Formation and Job Creation.” 10 a.m., 2128 Rayburn.

Committee on Energy and Commerce: Full Committee, 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., 2128 Rayburn.

Committee on Foreign Affairs: Full Committee, hearing on “China’s Monopoly on Rare Earths: Implications for U.S. Foreign and Security Policy.” 1 p.m., 2128 Rayburn.

Committee on Homeland Security: 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.

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.

Committee on Transportation and Infrastructure: Full Committee, hearing entitled “The Pipeline Infrastructure and Community Protection Act of 2011.” 10 a.m., 2128 Rayburn.

Committee on Merchant Marine and Full Oceanic Navigation: 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.

Committee on Financial Services: Full Committee, hearing on “The Broken Budget Process: Perspectives from Former CBO Directors.” 10 a.m., 210 Cannon.

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 Transportation and Infrastructure: Full Committee, hearing entitled “The Broken Budget Process: Perspectives from Former CBO Directors.” 10 a.m., 210 Cannon.

Committee on Energy and Commerce: Full Committee, hearing entitled “A Call to Action Preparing for a Second Century of Stewardship and Engagement” 2:30 p.m., SD–366.

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations, hearing entitled “Education Reforms: Ensuring the Education System Is Accountable to Parents and Communities.” 10 a.m., 2175 Rayburn.

Committee on Oversight and Government Reform: Full Committee, hearing on Creating Employment and Reviving Communities in the Gulf of Mexico by Addressing 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 Veterans’ Affairs: to hold joint hearings to examine the legislative presentation of The American Legion, 10 a.m., SDG–50.

**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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H. R. 2832—Generalized System of Preferences Act

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