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## Senate

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, high and lifted up, hallowed be Your Name.

Lord, on yesterday we observed the 10th anniversary of 9/11 and thanked You for Your grace that continues to protect and sustain us. We give thanks at the remembrance of Your holy Name, for You are our hope for years to come. Today, empower our Senators to grow in grace and knowledge of You. With each passing day, may they find themselves more ethically and morally fit. Let Your word be a light for them and a lamp to illuminate the darkness. Lord, use them so effectively on Capitol Hill that justice will reign in our land and world.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS 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. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,

Washington, DC, September 12, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mr. COONS 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. Mr. President, following any leader remarks, the Senate will be in a period of morning business until 4:30 p.m. today. At that time, the Senate will resume consideration of H.J. Res. 66. At 5:30, there will be a cloture vote on the motion to proceed to H.J. Res. 66. At 5:50, Members will gather in the Rotunda and proceed to the 9/11 remembrance ceremony on the east front of the Capitol.

### REMEMBERING 9/11

Mr. REID. Mr. President, I remember Tuesday, September 11, very clearly.

Room 219 is where Senator Daschle held his Tuesday morning leadership meeting, which started at 9 o'clock. I was the first Senator in that room. John Breaux of Louisiana came in a short time later, and he said: Something is going on in New York. Flip on the TV. And we did, and there was a tower burning, and we were thinking, how could an airplane run into that tower?

We basically didn't pay any attention to that TV. We turned it off because there was a meeting there. We assembled for a meeting, Senator Daschle called it to order, and just a short time after the meeting was started, he got a note. Somebody came in and took him out, and he came in and said: We have

to vacate the building. There is an airplane headed toward the Capitol. So of course we all hurriedly left 219.

I remember that day so very clearly. Senator Nickles was my Republican counterpart, Senator Trent Lott was Senator Daschle's counterpart, and the four of us were taken off the west front of the Capitol to a secret location, where we spent most all the day. The Vice President was there and kept us informed as to what was going on. As we left 219, Mr. President, you could look out the window and see the smoke billowing out of the Pentagon.

It was a very difficult day for all of us. Yesterday, we observed the 10th anniversary of those attacks, but the truth is I remember that day as if it were only yesterday. That day, Osama bin Laden and his radical followers didn't just launch an attack on planes or buildings. They launched an attack on the American spirit. They launched an attack on our freedom and our democracy.

Rather than being crippled by the terrible acts of those madmen, rather than allowing uncertainty and fear to rule us, this Nation was again stronger than ever. And we really did it in one way, and that was by coming together. The darkness that day reminded us of our collective strength and power. It reminded us that there is nothing we cannot achieve together, as one Nation under God, indivisible, and, of course, with liberty and justice for all. So we pledged to bring justice to the perpetrators of those terrible acts, and we followed through on that pledge with an unfaltering campaign to dismantle al-Qaida and its supporters. This year, our brave Navy SEALs and others gave Osama bin Laden his due. We also pledged to rebuild, and I am very happy to see the proud towers of the new World Trade Center rising from the ashes of Ground Zero.

That doesn't mean the memory of that day is not painful, because it is, especially to those who lost loved ones.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Thousands of people lost loved ones. Nothing could ever make up for the loss of a mother or father, son or daughter, brother or sister, friend, or a spouse who was just catching a plane, going to work, or at work on that horrific day. They are the reason we will never forget—ever.

So today, as yesterday, I honor the memory of the thousands of innocent people who died at the World Trade Center, at the Pentagon, on the hijacked planes in New York, Pennsylvania, and Virginia. I honor the memory of the firefighters who knew the danger they faced when they entered those buildings but went in anyway. I honor the police and rescue workers who rushed to the scene and combed through the debris, some of whom died that day. I honor the many dedicated members of our Armed Forces, our State Department, the U.S. Agency for International Development, and our intelligence community who have sacrificed their lives to keep us safe and keep September 11 from ever happening again.

Today, at approximately 6 o'clock, we will gather on the east front of the Capitol. In looking at the program, I see the final thing that will happen there is one of the military bands and choir will sing "God Bless America." That happened on September 11. Senator Daschle and I had come back, and we gathered on the front of the Capitol. We really were there not knowing what to do; we just wanted to be together. As I remember, Senator MIKULSKI said in her usual voice, which demands attention, "Let's sing 'God Bless America.'" And we did. I don't know how well we sang it, but it was a memorable event. So I will remember that very clearly tonight when we close our recognition ceremony out there on the east front of the Capitol singing "God Bless America"—something we did 10 years ago.

Mr. President, I honor America's spirit of perseverance and commitment to freedom. May we never forget.

Will the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to proceed for 15 minutes in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 1538 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MEDICAL DEVICE TAX

Mr. COATS. Mr. President, we all heard the President speak to a joint session of Congress last week about his jobs bill, which was released this morning. The President indicated he wanted to take his case to the people. I am glad he is doing so. As he travels about the country, I think he will be hearing what many of us heard during the August work period when we were back at home.

As I traveled across the State of Indiana and talked to people from all different categories of industry—small to medium to large businesses—homeowners and other constituents, one thing came through loudly and clearly: I needed to listen to them more than they needed to listen to me. What was on their minds is what I think the President will be hearing about as he travels across the country to talk about his jobs plan because, clearly, on the minds of the American people are jobs and the lack of jobs for many who are struggling through a very difficult time of unemployment. There are students who graduated from college with no place to go. People in middle age are being laid off or terminated, unable to find new work. Clearly, we have a jobs crisis in this country. It has lasted now for some time. We have been in a deep recession. Hopefully, we are coming out of it, but the latest indicators show that things are pretty stagnant. In fact, the latest facts that came forward in the August reports were that job growth is zero. So we have some work to do. We also need to look carefully at the proposal the President brought before us.

Getting back to the central point I am trying to make, what he will hear, I believe, from the American people—at least he will hear it if he stops in Indiana—is there is a great cloud of uncertainty hanging over the future and,

because of that, people are holding back on spending and businesses are holding back on hiring. There certainly is not the confidence we have seen in the past. We have seen that confidence indicator drop and drop and drop—confidence in the future that we have our act together, that we are pulling out of this recession, and that we can look forward to a brighter tomorrow because our economy will be growing and we will be adding more jobs. That uncertainty results from a number of factors. Clearly, we have been in a downturn, and we are trying to climb out of that, but there is also uncertainty about what policies will be coming out of Washington that will affect the job creators and will affect consumers as they contemplate decisions regarding how to go forward.

One of those key indicators is the uncertainty over what the Tax Code will bring regarding the taxing of profits or income or revenue that comes into America's companies. I wish to highlight one of those because it is important to the State of Indiana, but I think it also makes the larger point. There are industries that can be an essential part of our future and that can and are providing for essential employment, at higher than average wages with good skill levels, and that hold a lot of potential for our exporting successfully overseas as well as providing necessary products here at home.

One of those industries is centrally located in Indiana—in fact, it is one of our top industries and an industry with significant growth over the last decade or more; that industry is the medical device industry. Yet the medical device industry, because of its success, was targeted during the formation of the health care plan that was proposed by the President and passed by this Congress in the last session. That bill imposed a tax increase on the medical device industry, even though they did not have a direct relationship with what was trying to be accomplished in the ObamaCare medical plan. Here is an industry that is a world leader, where the United States is a world leader, an industry that brings in substantial revenue, has seen a significant increase in growth, and holds great potential for the future. Yet because there was a search for pay-fors for the health care plan, the administration looked at this industry and basically said: We can draw some taxes and provide some revenues. Their proposal was to achieve \$40 billion over a period of time, all of which would go to help pay for the health care plan. That was reduced through an amendment—or through negotiations—to \$20 billion. Nevertheless, it should have never been included in the first place. It was there for a revenue raiser, and it didn't have anything to do with the particular plan.

Indiana is one of the world leaders in the development of medical technologies that enhance and save the lives of Hoosiers and patients around the world. We have more than 300 FDA-

registered medical device manufacturers, employing 20,000 Hoosiers directly and another 28,000 indirectly. There are more than 400,000 workers employed nationwide by this industry. These are jobs that pay, on average, 41 percent higher wages than the State wage rate in Indiana.

Medical device manufacturing has been a thriving industry. It is critical to our State economy and many States' economies, and I will list some of those. States such as California, Florida, Illinois, Massachusetts, Minnesota, New Jersey, New York, Ohio, Pennsylvania, Texas, Wisconsin, and including my State of Indiana could suffer more job losses if this tax is allowed to go into effect. In fact, a study that has come out produced by the Advanced Medical Technology Association analyzed the potential effect of the health care law's device tax on employment and the medical device industry, and I quote from that report:

... under reasonable assumptions, the tax could result in job losses in excess of 43,000 workers and employment compensation losses in excess of \$3.5 billion. That would be a devastating blow to the industry and, of course, to many local economies.

Beyond that, I have met with these device manufacturers on numerous occasions. Essentially, what they have said to me is: We like working in Indiana. We like the productivity we are getting. But if we continue to be taxed and regulated to the point where we are no longer competitive in selling our products worldwide, we are going to have to take a serious look at moving our production overseas. They said: We don't want to do this. We want to stay here. But we need to be competitive because you have to understand that a lot of our revenue comes from exporting overseas.

Of course, this is what we want to encourage. Our trade balance is in deficit and the more we can export and the more we have cutting-edge industries that export enhanced products to overseas customers, the better our own economic situation will be here at home.

At a time when 14 million Americans are looking for work and at a time when our country has suffered through 31 consecutive months of unemployment above 8 percent, I think we need to take a close look at the job creators in our country and determine whether the taxation or regulation that is being imposed on them is having a dramatic impact on our ability to provide more jobs. The people I have talked to said it is having the opposite effect.

Senator HATCH has introduced a bill to repeal this tax. It was controversial when it was first brought forward. I think the Congress ought to take a look at this legislation. If we want to provide some job-creating opportunities in America, we need to look at the taxes and regulations that are stifling growth and the ability to hire more people.

I am a proud sponsor of Senator HATCH's legislation to repeal this ex-

cise tax. It will, as I said, benefit many States and provide many jobs and prevent jobs from leaving American soil. So I encourage my colleagues in the Senate to join this commonsense legislation and repeal the tax on medical devices. If we want to spur economic growth, it is time we take a closer look at the harmful impacts of policies that are stifling growth. This is one industry—and I hope to highlight more in the future—but one industry that clearly is being penalized for being successful. It is hurting our economy, and it is hurting our ability to provide job growth.

I wish the President well. I hope he listens intently. I hope he hears the same sentiment I heard as I traveled around the State of Indiana. I believe the conclusion is inevitable; that is, taxation, regulation, and the policies coming out of Washington bring uncertainty to the marketplace, and uncertainty to the marketplace affects consumer confidence and affects the confidence of those job creators and employers who are frozen in time waiting to see how all this is going to turn out. They are fearful of hiring more employees because they do not know what the impact is going to be on their payroll and on their expenses, and they are waiting for the next regulation to come down that might impact their business in a negative way.

We need certainty coming out of Washington, not uncertainty. I am hoping over the next 2 or 3 months, as Congress works to come together with a sensible plan to deal with our deficit, we can enact a good plan for the future in terms of how to deal with our deficit and we can bring some certainty to the future and get our economy back on the right track.

With that, Mr. President, I yield the floor and 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. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ISRAEL-PALESTINIAN PEACE PROCESS

Mr. BARRASSO. Mr. President, I rise today to express my thoughts and my concerns about an issue of the utmost importance; that is, the Israel-Palestinian peace process.

Tomorrow, September 13, 2011, the General Assembly of the United Nations will commence with its 66th session in New York. Every year, member nations come together to debate and discuss the important issues facing the world at the United Nations General Assembly. While there will be a variety of issues on the agenda this year, I am extremely concerned about one issue specifically.

Over the last several months, Palestinian Authority President Abbas has repeatedly voiced his intention to formally request statehood recognition and full membership in the United Nations. In July, the Arab League endorsed this irresponsible ploy. Regrettably, President Abbas intends to make the formal request during this session of the United Nations General Assembly.

I oppose the decision of the Palestinian Authority to seek a declaration of statehood by the United Nations. The unilateral action of the Palestinian Authority is intended to circumvent the peace process. It is not a good-faith effort to achieve peace in the Middle East but, to me, rather it is a political maneuver.

The United Nations should not be interfering or intervening in this complex process and should refrain from passing unilateral declarations on issues that are part of ongoing direct negotiations by the parties. The decision about borders and statehood should be achieved through a final agreement, an agreement between the Government of Israel and the Palestinians.

The United Nations should refrain from dictating and imposing a final decision on statehood for a territory of one of its own current member nations. To me, this will only make matters worse. It will make this situation worse because the consequences to the peace process are grave.

The ability to move forward with an agreement is weakened and greatly diminished by these types of tactics. The best path to peace is through direct negotiations between the two parties, not through a manipulation at the United Nations. The United States continues to support a two-state solution as a means to ending the conflict. It is based on the belief that it is the only way to achieve a true and lasting peace between these two parties.

Instead of embarking on the time-consuming campaign to gain support in the United Nations General Assembly, the Palestinian leadership should be working directly with Israel on creating a real and sustainable peace agreement.

The request for recognition by the United Nations is part of a terrible emerging trend from the Palestinian Authority. The Palestinian Authority continues to engage in troubling behavior that is contrary to peace.

On May 4, the Palestinian Authority reached an agreement with the terrorist group, Hamas, to create a unity government. It is outrageous that the Palestinian Authority would be willing to unite with a known terrorist group that is infamously recognized for its destructive acts of violence.

Since 1997 Hamas has been designated by the U.S. Department of State as a foreign terrorist organization. Hamas

terrorists are responsible for the murders of American citizens. It is also important to note that the agreement between Hamas and the Palestine Authority does not require Hamas to recognize Israel's right to exist, to accept the previous Israel-Palestinian agreements, or to renounce terrorism.

Hamas continues to be fundamentally opposed to a lasting peace between Israel and the Palestinian Authority. It is apparent there is no path to a peaceful resolution when part of the Palestinian unity government is dedicated to the destruction of Israel.

Prime Minister Benjamin Netanyahu made this point very clear when he addressed the joint session of Congress on May 24 of this year. He stated, "Peace can only be negotiated with partners committed to peace."

Furthermore, it is completely unacceptable for U.S. assistance to go the Palestinian Authority when it includes Hamas. The Palestinian Authority received approximately \$500 million in U.S. foreign assistance in fiscal year 2010. Hard-earned U.S. taxpayer funds must not be funneled into the pockets of terrorists.

History shows this is not the first attempt by the Palestinians to use the United Nations to circumvent peace negotiations and declare statehood. The Palestinians sought to change their status at the United Nations through the World Health Organization. At that time, Secretary of State James Baker publicly warned that he would recommend that the United States stop funding any international organization that changed the Palestinian status as an observer organization.

Americans are keenly aware that a significant portion of the United Nations' budget is paid by the United States. As the biggest financial contributor to the United Nations, the United States contributed almost \$7.7 billion in fiscal year 2010 to the United Nations system. The United States should not be providing funding for an international institution that circumvents an established peace process and that threatens the security of our allies.

The United States and Israel share a long and deep alliance. Israel is a friend and ally and a strategic partner to the United States. Both Israel and the United States understand the values of life, liberty, opportunity, security, and freedom.

Throughout Israel's history, the country has worked to build a democratic nation in the face of severe obstacles. Israel is a shining example of democracy in the Middle East. As Israel faces real danger from its neighbors, the people of Israel continue to show great strength and perseverance as they seek peace.

On May 22, President Obama explained that no vote at the United Nations would create an independent Palestinian State. On May 25, the President expressed his concern about the

efforts of the Palestinian Authority to seek statehood at the United Nations and referred to it as a "mistake."

The Department of State continues to reiterate that Israel and the Palestinian Authority need to work out the differences between themselves in direct negotiations. The United States has been very clear that we will use veto power in the United Nations Security Council to block any attempt by the Palestinians for state recognition or United Nations membership.

The Obama administration must use all of its resources to block similar actions in the General Assembly and other United Nations organizations. President Obama and Secretary of State Clinton must press the Palestinian Authority to abandon its erroneous decision and return to the negotiating table with Israel.

It is also imperative that other international leaders understand the implications of these efforts and join the United States in opposing them. Nations must stand together to decry the attempt to circumvent direct peace process negotiations.

The Palestinian Authority must also understand that its actions will have serious implications to the U.S.-Palestinian relations and U.S. assistance. The recent actions of the Palestinian Authority indicate to this Senator that the United States has no choice but to suspend funding assistance to the Palestinian Authority.

Today, I call on Congress to terminate funding assistance to the Palestinian Authority. I believe Congress must also evaluate and significantly cut funding to the United Nations if any change to the status of the Palestinian Authority is approved by the General Assembly.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ECONOMIC GROWTH

Mr. KYL. Mr. President, President Obama is about to roll out another jobs plan. He talked about it last week. This is 2½ years after the first stimulus bill, which, with interest, amounted to about \$1.2 trillion. His economic advisers have confirmed the fact that this stimulus concept is actually based on the Keynesian economic theory. As our Republican leader noted last week, there are now, unfortunately, 1.7 million fewer jobs in America, according to the Bureau of Labor Statistics, than there were before the President's first stimulus bill. So the question, obviously, is whether this theory is better in theory than it is in practice.

I wanted to talk today a little about the two different basic theories of economic growth and what you do in a situation of economic downturn, as we have today. How should we be looking at stimulation of job creation and economic growth? The two competing theories, of course, are the Keynesian theory, which I mentioned, and what some have called supply-side economics.

There is no question that the Keynesian theory has been one to which the President's economic advisers generally adhere. It was used to justify the 2009 stimulus program and other programs. For example, the one that sticks out in my mind is the so-called cash for clunkers, but there were other transfer payment government programs, temporary tax credits, and others. But the theory in the cash for clunkers is a good example, which is that in recessionary times, if the government spends money and gives it to people so that they can spend it, that will therefore stimulate consumption; that business will respond by increasing production, and that will create jobs.

Recently, for example, Agriculture Secretary Tom Vilsack said that because of a theoretical multiplier effect under this model, food stamps—government money taken from taxpayers and given to people who are entitled or eligible for food stamps—would actually stimulate the economy by a factor of 1.84; in other words, that \$1 of food stamps would actually generate \$1.84 in economic activity. There are a lot of problems with that theory. The first is that the multiplier effect itself has been discredited as not something that, in fact, actually happens.

A Harvard economist by the name of Robert Barro has explained this, and I will quote from one of his writings:

Theorizing aside, Keynesian policy conclusions, such as the wisdom of additional stimulus geared to money transfers, should come down to empirical evidence. And there is zero evidence that deficit-financed transfers raise GDP and employment—not to mention evidence for a multiplier of two. If [Secretary Vilsack's claim] were valid, this result would be truly miraculous. The administration found the evidence it wanted—multipliers around two—by consulting some large-scale macroeconomic models, which substitute assumptions for identification.

In other words, economists can prove the multiplier in theory with these models, but there is no empirical evidence that it has ever occurred. It is a bit like money growing on trees. The money has to come from somewhere, and, of course, it comes out of the pockets of taxpayers or the government borrows it and it eventually has to be repaid with taxpayer tax dollars.

The second problem is that to the extent one assumes the problem is that Americans are too broke to spend money, the question then is, How can the government make that up for us? Aren't the people the government? Doesn't the government get its money from the people in the form of taxes or,

if it borrows, the people's taxes eventually have to pay back the borrowed money. In other words, we have to pay it back later.

Third, people tend to change their spending habits when they know they will have greater consistent income over time, such as when they receive a raise at work. If you give people a one-time payment, the evidence has shown they either save that or they shift future consumption forward. In other words, they may buy something now they were going to buy later. That is where the Cash for Clunkers Program failed. But it doesn't permanently increase their work effort or their incentive to invest, which, of course, is exactly what is needed to jump-start economic growth. The job creators themselves tend to hire when they know they are going to have permanent tax relief or regulatory relief, not just when they receive a one-time payment for something. That is only good for as long as it lasts, but it doesn't provide the consistent, long-term prospect for income, for example, that they need in order to take the step of actually hiring a person and committing to paying that person over time.

Fourth, the Keynesian theory assumes the government has the foresight to determine or, as President Obama's former National Economic Council chief Larry Summers said of the stimulus, to target which spending programs would best create economic growth, but that rarely happens. The obvious problem with this assumption, of course, is that Congress does not spend taxpayer money wisely. We see time and time again how a well-intentioned piece of legislation gets loaded up with special projects, frequently which are costly to the public and very questionable in their value. That was one of the things that was wrong with the stimulus package itself.

There is an eye-opening new set of working papers that reveals the truth about this. Mercatus Center scholars Garrett Jones and Daniel Rothschild took a look at, among other things, whether Congress did a good job of targeting the stimulus funds at unemployed workers and weak sectors of the economy. They surveyed hundreds of firms that received stimulus funding and gathered more than 1,000 voluntary, anonymous responses from employees and managers to help shed more light on what happened to organizations that received stimulus funds. Here is what they wrote:

Our survey finds no evidence of such [Keynesian] targeting occurring, at least not successfully.

For example, one city was given \$4 million to improve energy efficiency even though a budget shortfall had just forced it to lay off 185 public workers. In another case study, a Federal contractor was instructed to purchase more expensive tiles than he needed for a particular project. The theory was, in that way the government could claim the stimulus money was getting out

the door faster. This isn't the way to spur economic growth. And I believe most Keynesians believe that what the government spends its money on matters.

Moreover, the study I referred to also found that less than half of those hired with the stimulus funds were unemployed—about 42.1 percent. Jobs were simply moving from one place to another. The authors of the study wrote:

Hiring is not the same thing as net job creation. This suggests just how hard it is for Keynesian job creation to work in a modern, expertise-based economy.

In other words, while an employer might steal an employee from another employer, that is not the same thing as creating a net new job.

So the bottom line here is there is a major misconception that consumption fueled by government spending actually creates jobs. It turns out that it doesn't. It just inefficiently moves borrowed money around with a bill that has to be repaid later.

I believe it is also important to remember that economic growth stems from combining three inputs: labor, capital, and technology. These three factors of production result in output we can then consume. This is the beginning of the difference between the Keynesian philosophy and the supply-side philosophy, which focuses on productivity. And what is required for society to be more productive? Labor, capital, and technology. Properly applied, when these three aspects of an economy are well-aligned, the economy can grow, jobs can be produced, and people will consume, but they will be consuming things that have been produced by the businesses of the country. Without labor, capital, and technology, there can be no consumption. I mean, that is obvious. Focusing on policies that stimulate consumption targets the wrong side of the equation. In order to get the economy going, you need to focus on the inputs.

There is an incidental problem here. Stimulating consumption also raises prices, which is exactly what we don't need. When you stimulate input or productivity, you produce more of the quality goods people want, and the prices of those products are down if there is enough productivity. But when you try to stimulate consumption for a fixed number of goods, obviously the price of those goods goes up. There is a fear of inflation in our society today, and that is precisely what this kind of Keynesian stimulus will produce.

This matter of focusing on inputs, as I said, is where the second philosophy of economic growth comes in—supply-side economics, which focuses on productivity. The fundamental principle of supply-side economics is that people work harder and take more risks when there are more opportunities for economic gain and less government intrusion.

Translating this economic philosophy into policy means several things—first of all, reducing govern-

ment consumption by cutting spending, thus leaving resources in the private sector.

I mentioned food stamps before. The government can only give money to food stamp recipients by taxing the money of someone else or borrowing the money. Eventually, that borrowed money needs to be paid back. How is it paid back? It is paid back by taxpayers paying money to the government, which can then repay its debt. In either event, eventually the money the government spends to stimulate the economy has to come from somewhere, and the only place it can come from is the American taxpayer.

The bottom line is, with Keynesian stimulus spending, there is no free lunch. The money doesn't materialize out of nowhere. It is not free for the government to inject this money into the economy by giving it to favored groups or to redistribute it to people within our society so they can spend it. That is why this factor some people talk about that we actually get more money back than we put in is wrong in two ways.

First, as I pointed out before, there is no empirical evidence that ever happened. Secondly, eventually, the money has to be repaid or, if it was taxpayer money to begin with, that is \$1 less taxpayer money that that taxpayer has to invest or to consume or, if it is a businessperson, to hire someone in the private business.

The bottom line is, government money isn't free. So the whole premise of Keynesian economics that we get a free dollar someplace and that produces benefits by people then spending it is wrong. How about leaving it in the pocket of the person whom we want to spend it in the first place? Chances are that person can make a more intelligent decision about what he or she needs than the U.S. Government.

Second, as I said here, we are talking about incentives in the marketplace which are based, by every economic study, on long-term policies: long-term tax policies, long-term regulatory policies. An individual small businessman, for example, wants to know what the law will be 2 and 3 and 4 years out before he decides to hire a new employee he is going to have to pay taxes for, whom he is going to have to provide potentially a health benefit for, certainly a salary. If he doesn't think that government policy over that long term is going to enable him to continue to employ the individual, he is not going to hire him in the first place.

Another thing that supply-side economics means is that the worst thing we could do, especially in economic down times, is to raise taxes on anyone but certainly not on the very employers we count on to hire more workers. Who is the first to hire coming out of a recession? It is small business.

So the very people we are asking to hire more Americans to put them back to work are the people who would be impacted by the taxes the President

talked about the other night. He is talking about taxing “wealthier Americans.” What does that mean? It means people who make incomes above \$200,000, and that happens to be the group that represents the bulk of the small business entrepreneurs in America. Fifty percent of all small business income is paid in those top two income tax brackets on which the President would raise taxes.

So the very people we want to hire more workers, we are going to impose more taxes on; and then we are going to expect them to hire more to reduce unemployment so we can have greater economic growth? It simply doesn't work that way.

The final point has to do with regulations. More and more, the President seems to be acknowledging that the runaway regulations of his administration are actually beginning to harm business and job creation. This is why he has announced his effort to try to streamline the regulations and get rid of any that don't work; why he withdrew a proposed regulation from the Environmental Protection Agency recently that would have had a very negative impact on business. He is beginning to recognize that his administration is a big wet blanket over businesses these days because of their burden of regulations. We cannot stimulate the economy or job growth with the government imposing more and more costly regulations on American business every day.

The President set up a false choice in his speech the other night. He said: We have to do away with these job-killing regulations. But, he said, I will not do away with the regulations which protect the American people from—and then he named a litany of things he wants to protect the American people from.

Nobody is talking about eliminating all regulations or having unsafe food or unsafe products for little babies and the like. We are not talking about that. We are talking about the issuance of thousands and thousands of pages of new regulations every month by this administration at an extraordinary cost on American business with very little regard for a cost benefit—in other words, how much society benefits versus the cost of these regulations imposed on business.

By the way, when I say the cost imposed on businesses, who pays? Businesses are the people in the business. The consumers end up paying the cost of the regulations which obviously are passed on. So this is, again, another indirect tax on the American people. That is why I said before, no tax—but especially in a time such as this—whether direct or indirect, is a good idea because of the negative impact it has on job creation.

The bottom line of all this is, there are two basic theories. The one theory basically says we can get something for nothing. The government will get money, forget where it gets it. But

when it gives it to people, they will spend it. When they spend it, then whatever they spend it on, that producer has to produce more of those things so they will have to hire somebody to make more of them. But that is exactly backward. It doesn't work that way.

The supply-side theory says, first of all, the money didn't come to the government free. It had to be taken out of the private sector. The government either had to tax somebody, so they have \$1 less to spend, or it gives an IOU, which means eventually the taxpayers have to pay the taxes to repay the IOU. In either case, that is \$1 taken out of the economy. It is \$1 not there in the private sector for an entrepreneur to hire someone or to produce something.

So the supply-side economics says, let's look at the other side of the equation. Rather than focusing on consumption, let's focus on productivity where technology, labor, and capital can produce more, can make a society more productive, more wealthy, where more people can have work, they can have better paying jobs. What they produce has greater value, and people are willing to buy it, as a result of which they put more money back into the economy. That is the cycle that produces wealth, and it is the cycle that has caused economic growth and job creation and wealth generation in this country now for over 200 years.

It begins with the proposition that job growth starts in the private sector, that government doesn't create jobs, that money starts with the people, the taxpayers. They generate the income, and the government gets a piece of that in the way of tax revenue. But the money belongs to the people, not the government. Third, there is no magic when the government somehow gets \$1 in order to redistribute it so somebody can buy something with it. We have to remember where the dollar came from. It didn't materialize out of thin air. It started with a hard-working taxpayer who earned the dollar and then either paid it to the government in taxes or is paying it in taxes to repay a debt that the government incurred in order to borrow money for a stimulus package.

As we think about the President's proposed third or fourth stimulus, however we count it now, I hope we can keep these economic theories in mind: There is no free lunch. There is no free money. Eventually, the taxpayers are who create the wealth and the job creators create the jobs. If we keep those principles in mind, I think we will look a little bit more skeptically on the notion that we can somehow target job creation with yet another stimulus bill and that is going to get us out of our economic woes.

If my colleagues will keep these principles in mind, I think we will make wise decisions and prevent the country from going even deeper into debt and try to focus on the long term so businesses can actually make decisions based upon long-term thinking rather

than based upon the ephemeral effects of short-term stimulus.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Wyoming.

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#### REMEMBERING 9/11

Mr. ENZI. Mr. President, yesterday marked 10 years since the horrendous attack of Americans on American soil, but it led to a lot of patriotism and a lot of flags being displayed all over the country.

Over the weekend, I noticed my 3-year-old granddaughter and my 4-year-old granddaughter, when they saw a flag hanging anywhere, said “God bless America.”

Throughout the history of the United States, each generation has had at least one iconic moment, one moment in time that served to galvanize the Nation and call each and every American to take on a cause much greater than themselves. Ultimately, the results they were able to achieve served to define who they were as a generation and what they were capable of, both as individuals and as a nation.

For my father, that moment was the bombing of Pearl Harbor. As we watched with growing concern, a terrible evil had taken the whole world to the brink of war. We found we no longer had a choice as to whether we would get involved. We were forced to take action and bring our military might to bear against an enemy that had set its sights on world domination.

As soon as the call went out, brave men and women from all across the country volunteered to serve in our military and to take up arms to defend the rights and liberties we cherish as Americans. They soon proved to be worthy of the task as we once again showed that ours was the greatest fighting force the world has ever known. Thanks to them, the tyranny and oppression that threatened to overwhelm Europe was halted and peace and freedom was once again restored to a war-weary world.

Returning home from the battlefields on which they had served with distinction, our service men and women took up another great challenge and that was to rebuild our Nation and to restore its greatness. Their commitment and dedication to that great mission helped to make the United States what it is today. Thanks to them, their sons and daughters received the greatest gift they could possibly receive, our American way of life. Their actions made it clear that the American dream belongs to everyone, and it can come true, if we are willing to do whatever is necessary to make it happen.

For me and my generation, our iconic moment came with the news that the Soviet Union had launched Sputnik into space. In that brief moment in time, we were once again filled with that same determination as we realized we were in second place in the race for space and in other things. That would never be acceptable or accepted.

In the days after that startling announcement, people of all ages found themselves looking to the skies, wondering if we could answer this daunting challenge. Our curiosity and our ingenuity would again be put to the test as we all tried to help in the effort to bring about that "one giant step for mankind" that wasn't to come for several more years.

My friends and I in junior high banded together—although we were all very young—to help. We wanted to learn all we could about rockets so we could become rocketeers or at least we tried our best to be worthy of the title. Once again, we had a difficult goal to reach for, and we were proud to think of ourselves as part of that call to action.

Of course, President John F. Kennedy then issued the challenge to the Nation that we would send a man to the Moon and return him safely to Earth. It sounded impossible, but with American know-how we were able to develop and put into action a plan that made it happen.

When the time came, the world watched with wonder and amazement as Neil Armstrong took those first steps on the Moon and proved once again that whatever goals we set, we always seem to find the tools and talent we need to get the job done.

For my children, their generation's iconic moment came on September 11, when we were once again cruelly attacked by terrorists who had hijacked several planes and used them to destroy the World Trade Center and part of the Pentagon. It was a moment in time that everyone will long remember for the impact that day and the events surrounding it had on the world and our lives, an impact that continues to be felt.

Even though it was 10 years ago, for almost all of us, the images of September 11 are still fresh in our minds. We can remember where we were when we first heard the news that our Nation was under attack. We can remember how we felt as we watched the Twin Towers fall and the sense of loss as the harsh reality of all the lives that were lost that day became all too real.

There are many lessons learned as we watched the rescue crews, along with our police and firemen, attempt to save as many as they could from the building and then from the wreckage. It was a harsh reminder of how delicate and precious our lives are and how the gift can be taken from us at a moment's notice.

Yet out of all that was lost, there was the birth of something even greater, something more powerful and enduring. It was the sense of community, this sense of country that bound us together as one Nation, as one American. We stood side by side with our neighbors, our families, and even complete strangers, looking out for one another and helping those in need.

Terrorists thought we were a weak nation that would crumble in the face of violence. Those who wanted to hurt

us sent a clear message. Yet we sent another. American flags sprung up in every yard, flew from every building, and even hung from our overpasses. The powerfully simple message of the Stars and Stripes was our message: We are America and we stand together.

Like those moments before, the morning light the next day brought with it the firm resolve that we would, once again, come together as one to address that attack. Political differences would no longer separate us. Concern for our shared future was so strong it would unite us to face this threat to our well-being. Together, we resolved we would do everything we could to ensure that terrorism would never again take such a terrible toll from our Nation or any other nation.

I remember during that time being at events where ambassadors from around the world offered an outpouring of sympathy and comfort for our grieving Nation. I was touched by their sympathy and care for America. I was also pleased so many countries helped us to follow the money trails which led to the arrest and prosecution of countless terrorists.

In the years since that terrible day, justice has also been delivered by our brave service men and women who have once again answered the call to duty and taken up arms to rid the world of the network of terror wherever it is found. Thanks to their efforts, nations that had never known freedom before now dare to dream of a better tomorrow for themselves and for their children. People who had lived in fear under the tyranny of oppression will now have a say in their shared future as citizens of the world. Those who had known nothing but anguish and despair now have a reason to hope for a better life. The Middle East is still in turmoil as the people reach for freedom and individual prosperity.

C.S. Lewis once said:

God whispers to us in our pleasures, speaks to us in our conscience, but shouts in our pains: it is His megaphone to rouse a deaf world.

I think it is clear that the pain we felt that day was sufficient to rouse us to all the action as it opened our hearts and our minds to God and each other.

In the days to come, the memories of all we witnessed on September 11 will stay with us and serve as a constant reminder that freedom isn't free. It often comes to us at all too great a cost. In that spirit we will never forget those who lost their lives that day, their loved ones and all who knew them and called them their friends. For this generation and those who follow, their memory will continue to inspire us to be ever vigilant and constantly on guard at the gates of freedom to ensure that this "one nation, under God, indivisible" will continue to be the home of "liberty and justice for all," for ourselves, for our children, and for many generations to come.

Let's remember September 11 and the feelings we had for our country and

each other. May we rekindle the sense of community, country, and world we felt then. May lasting good come out of chaos.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### DISASTER FUNDING

Mr. REID. Mr. President, if we would pause a few minutes and think about what has gone on in America this year: We have had flooding on the Mississippi and Missouri Rivers and other rivers in the Midwest. To show the power of this flood, on the Mississippi River alone there are 3 million acres underwater—farmland. We have had devastating tornadoes in the South. These tornadoes don't have names but they have a viciousness that is hard to comprehend. In Joplin, MO, about 200 people were killed. There was devastation. It is believed those winds reached nearly 300 miles an hour. Some say they are the highest recorded winds ever. They eliminated everything in their path.

Wildfires in the South and the West have been extremely harsh. Take Texas alone. Fires have been burning in Texas for the last month. Two thousand homes have been destroyed, burned to the ground. The fires are still present. I heard today that they are about 50 percent controlled.

We now have had Hurricane Irene. The wake of damage from Hurricane Irene hit numerous States, States that usually have no damage, all up the coast. Vermont has no coastline but they were devastated. Hundreds of bridges were washed out in Vermont. Vermont is a sparsely populated State. There are about 600,000 people, I understand, in the whole State, but it has been really hurt. The largest office complex in the whole State, with some 1,700 employees, is out of operation, underwater.

Tropical Storm Lee quickly followed Irene. Tropical Storm Lee has left damage in lots of places. We haven't been hurt real hard here in the metropolitan area of the District of Columbia. I have been here quite a while and I can never remember it raining for a week at a time, but that is what we just had. It rained basically all last week. The Potomac River is very high, but other States have been hurt worse by Tropical Storm Lee. I don't remember the exact number of deaths because of Lee, but it is approximately 20. Here in Virginia a 12-year-old boy in his backyard was washed away.

Since the first of this year, President Obama has issued disaster declarations



for 48 States and the hurricane season is not over yet. The Commerce Department said this year we have had 10 disasters, each with more than \$1 billion in damage, and \$1 billion is an understatement when you talk about what happened with Irene. They say that will reach \$25 billion, that one storm. That is the most we have had in decades—probably the most ever.

No one should be surprised that the Federal Emergency Management Agency is about broke. As of today, they have a few hundred million dollars left, probably in the \$300 million range. In just the last 2 weeks, FEMA spent almost \$400 million out of the fund for Hurricane Irene and other disasters. That should not be out of that fund. That should be forward funded. So FEMA is dangerously close to running out of money.

To make sure FEMA will have enough money to meet the immediate needs for food, water, and emergency housing for victims of new disasters, on August 28 FEMA stopped approving funding for disaster recovery projects from past disasters. This means funding is on hold to rebuild schools, hospitals, roads, public utilities from past disasters like Katrina, Rita, Gustav, and Ike, the Mississippi River flood of 2008—they are still doing work there to renovate that area—the Tennessee flood of 2010 and tornadoes in Missouri and Alabama of days past. So we have hundreds of millions of dollars that need to be spent in places such as Joplin, MO. They are not spending money there in Joplin, MO. After all they have been through there, no money.

The need is urgent. That is why we are seeking to move to the House-passed revenue measure to serve as a vehicle for disaster relief. The House insists, as they should, that because of our Constitution's Origination Clause, all appropriation measures have to originate in the House. So we had to take a bill—the House bill we have here on the calendar—and that is why we have to move to the Burma revenue measure tonight to allow the Senate to address this disaster assistance.

The Burma sanctions bill is a bill that the Republican leader has been out in front of for ages. He has been the watchdog of this terrible war and adverse nature that is taking place in Burma. He has been out front on this issue, and I appreciate that very much.

Every year we pass these Burma sanctions unanimously. No one opposes them. The only reason anyone might be holding up this Burma sanctions bill is because my friends on the other side of the aisle, the Republicans, do not want to allow the Senate to vote on disaster assistance. Why do we need to do that? How much more specific do I need to be? We need to help communities hit hard by flooding, tornadoes, hurricanes, and other acts of God. I would think twice if I were one of my Republican friends. I have gone over some of the areas where these tornadoes and these fires and other natural

disasters have occurred and this is our only hope of getting help for these States.

The House is indicating they are going to send us a bill, but they are playing around the edges of what needs to be done. We have a bill that was reported basically out of the Senate Appropriations Committee—from Democrats and from Republicans—supporting it. What is needed is about \$9 billion. We want to be in keeping with the Budget Deficit Reduction Act because in there we are allowed \$7 billion. That is the number we are going to put forward tomorrow on this bill. It would be a real shame if we are not allowed to move to this Burma sanctions bill because everyone voting no to proceed to this is voting no on assistance to these States. There is no other way to do it. We are not going to accept some small number the House sends over. We cannot do that. The House is planning on doing some of its usual stuff—I will say that in a positive sense—in sending us a continuing resolution that we must enact by the end of this month, and they want to stick in the funding for FEMA, which is very low. We cannot allow that to happen.

I hope everyone tonight at 5:30 will vote to allow us to go forward on this most important piece of legislation.

I would ask that the quorum call begin.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.J. Res. 66, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the joint resolution (H.J. Res. 66) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

Mr. REID. Mr. President, I ask unanimous consent that the time during the quorum call I am about to suggest be divided equally between the majority and the minority.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, our country is in a very serious economic crisis. We are told by Mr. Erskine Bowles and Senator Alan Simpson—Erskine Bowles was chosen by President Obama to head his debt commission. They gave a statement to the Budget Committee, on which I am ranking member, that this Nation has never faced a more predictable economic crisis based on the size of our debt. All of us know that.

The American people are angry with us. They cannot believe it is possible we are borrowing 40 cents of every dollar we spend. We are spending \$3.7 trillion this fiscal year ending September 30. We will take in \$2.2 trillion, give or take a few hundred billion. This is not acceptable. We cannot continue.

How did it happen? How is it possible we are borrowing 40 cents of every dollar that goes out the door, increasing the permanent debt of the United States? Well, one way is what is happening now before us on the bill that is being moved today by Majority Leader REID. It would add \$6.9 billion to the FEMA account for emergencies. We just saw the legislation less than an hour ago, maybe 30 minutes ago. Has anybody given any serious thought to that? Seven billion dollars? The general fund budget of the State of Alabama is \$2 billion.

Mr. President, \$7 billion is a lot of money, and we have not looked at it, we have not thought about it. It is above the budget, I guess above our budget numbers. We do not have a budget. Senator REID said earlier this year it would be foolish to have a budget—foolish to have a budget. We are now well over 860 days in this Senate without having passed a budget. Is that another reason we are spending the country into bankruptcy?

Well, I do not think this is an appropriate thing. I strongly oppose adding another emergency debt spending bill where we have not carefully examined every penny of it to make sure it is all necessary and appropriate. No one has seen those numbers and the analysis that would justify it.

I come from a State that was hammered with the worst series of tornadoes we have ever suffered in Alabama. I have been to those communities and towns and seen those families who have lost all they had, who have lost loved ones and have injured family members. I know we are going to need to have emergency spending for those programs. We have fires in Texas and we also have flooding. We know that.

We have certain money set aside for emergencies already. How much more do we need to spend? I do not know yet.



I wish to have some very careful expert analysis done before we announce another \$7 billion.

Forgive me if I am frustrated. I think the American people are frustrated. We went through a continual battle for weeks, months, really, over the debt ceiling. I did not like the way that bill was written. I know we had to face up to it, though, and do some things. So we finally reached an agreement. I did not vote for it in the end. But it was supposed to save \$2.1 trillion to \$2.5 trillion—\$2,500 billion, \$2,000 billion—over 10 years.

Next year—the fiscal year beginning October 1—it would reduce the spending for next year by \$7 billion—the very same amount now the majority leader wants us to throw in on top of that as emergency spending, not within our spending limits, not controlled by our spending limits, wiping out that entire saving for next year.

Add on top of that, the President has now announced he wants to spend \$450 billion more. And do not worry, it will be paid for, he told us in the speech Thursday night. How would it be paid for? Well, we will have this debt committee—I will send them a note and say: You cut another \$450 billion over 10 years. Just promise that you will cut another \$450 billion over 10 years, and I will spend \$450 billion now. That is the way we are heading down the road to uncontrollable debt.

I understand the President has announced he wants to raise taxes on businesses and all by \$450 billion, and we may get a proposal on how to do that today. I do not know. We will see how it turns out. I expect to read it. I would expect the President, if he is serious, would tell us precisely what taxes he intends to increase and how much they will bring in. We have to pass it now, we are told, but we have not seen the legislation, to my knowledge, yet. They promised it today.

This is not, in my humble opinion, sound management. The President of the United States has an Office of Management and Budget. Four hundred, five hundred people work there. He is the superintendent of every Cabinet department in our country. They all work at his pleasure. The subcabinet people work for him. He has the entire agencies he can call on to help produce proposals—the Commerce Department, the Treasury Department—on what taxes to raise and what taxes not to, how much should be brought in.

We have opportunities. The President has the staff to send us a detailed proposal about what kind of emergency spending we ought to be undertaking. I do not know if Senator REID conjured this up among his staff or whether he has gotten a detailed proposal from the House, from the President.

Suffice it to say, I hope my colleagues will not move forward to a bill that contains \$7 billion in new spending above our statutory limits that were passed in this debt ceiling—why? Basically to obviate the need of having a budget.

We need not be moving to legislation and rushing through that kind of new spending program because that is precisely how it is that day after day, week after week, we have increased spending in this country to the point that it cannot be sustained.

Every witness before the Budget Committee has told us we are on an unsustainable path. I just had occasion to go over the food stamp numbers. I knew the food stamp numbers had been going up. When President Bush left office, we were spending \$31 billion, I believe it was, on food stamps. This year we will spend \$79 billion. President Obama will have doubled spending on food stamps—doubled it—in 3 years, not 4. His first year in office, food stamp spending increased 46 percent.

We need to look under the hood of the engine of this program. We want to be sure poor people have food. We are willing to do that. Everybody is. But at a time of fiscal challenge for our Nation, a time of the largest debt we have ever seen, we have to examine all of our programs. Can we justify those kinds of increases? Can we justify emergency spending that is unthought out and not carefully accounted for? I do not think so. I think we should not go to legislation that seeks to do that, and I would oppose cloture on this legislation if that is what is happening, as I believe it is.

Mr. WEBB. Mr. President, as the Senate votes on H.J. Res. 66, a joint resolution to renew the sanctions in the 2003 Burmese Freedom and Democracy Act, it is important to acknowledge that over the past year Burma has undergone a series of changes that may have the potential to point toward a new direction for the country, after years of isolation and repression. On November 7, 2010, Burma held its first election in 20 years. With limited international observation, most will argue that the election was neither free nor fair. Yet it cannot be denied that the election process initiated a new political dialogue in the country, with candidates participating from more than 37 political parties.

The election resulted in a new governmental system and opportunities for engagement. Burma is now in the midst of a key transitional period that has yielded greater opportunities for interaction with government leaders and civil society, and restructuring of government and military institutions. The release of Aung San Suu Kyi from house arrest after the election has also been an important benchmark in this process. Her repeated interactions with government leaders are a significant step forward in encouraging a democratic process and reconciliation within the country.

There are clear indications of a new openness from the government, and the United States should be prepared to adjust our policy toward Burma accordingly. In reauthorizing this legislation, it should be noted that the 2003 Burmese Freedom and Democracy Act

gives the President the authority to waive the prohibitions on any or all imports from Burma if doing so is in the national interest of the United States. I am hopeful that there will be opportunities to closely examine any substantive improvements in our relations during this transitional period, and to take advantage of all of the tools at our disposal to facilitate Burmese economic development, political reconciliation, and ultimately greater progress toward democratic governance.

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the joint resolution to renew the import ban on Burma for another year.

I am proud to be joined in this effort once again by Senator MCCONNELL, a true champion for democracy, human rights and the rule of law in Burma.

The House passed this resolution unanimously on July 20 and I urge the Senate to begin action on it now by supporting the motion to invoke cloture on the motion to proceed.

These sanctions expired on July 26 and we should extend them as soon as possible.

We must send a message to the people of Burma that we continue to stand with them in their struggle for a truly representative government.

I have been involved in the struggle for freedom and democracy in Burma for over 10 years.

In 1997, former Senator William Cohen and I authored legislation requiring the President to ban new U.S. investment in Burma if he determined that the Government of Burma had physically harmed, re-arrested or exiled Aung San Suu Kyi or committed large-scale repression or violence against the democratic opposition.

President Clinton issued the ban in a 1997 Executive order and the ban remains on the books today.

In 2003, after the regime attempted to assassinate Aung San Suu Kyi, Senator MCCONNELL and I introduced the Burmese Freedom and Democracy Act of 2003 which placed a complete ban on imports from Burma. It allowed that ban to be renewed 1 year at a time.

It was signed into law and has been renewed one year at a time since then. A renewal of that ban is now before us today.

Since we last debated the import ban on the Senate floor, we have received one piece of good news.

On November 13, 2010, Nobel Peace Prize laureate and leader of the democratic opposition, Aung San Suu Kyi, was released from house arrest.

Her latest detention lasted more than 7, and in total she has spent the better part of the last 20 years in prison or under house arrest.

Her release was wonderful news for those of us who are inspired by her courage, her dedication to peace and her tireless efforts for freedom and democracy for the people of Burma.

Yet our joy was tempered by the fact that her release came just days after a

fraudulent and illegitimate election for a new parliament that was based on a sham constitution.

The regime's intent was clear: keep the voice of the true leader of Burma silent long enough to solidify their grip on power using the false veneer of a democratic process.

Neither I, the people of Burma, nor the international community were fooled.

We all know that the last truly free parliamentary elections were overwhelmingly won by Suu Kyi and her National League for Democracy in 1990, but annulled by the military junta, then named the State Law and Order Restoration Council or SLORC.

In 1992, this military government announced plans to draft a new constitution to pave the way for a return to civilian rule.

Yet the human rights abuses and the suppression of Suu Kyi and the democratic opposition continued and no constitution emerged.

In 1997, the junta changed its name to the State Peace and Development Council, SPDC, in a vain attempt to put a more positive spin on its oppressive rule and lack of democratic legitimacy in the eyes of its people and the international community.

Again, nothing changed.

The new constitution was drafted in secret and without the input of the democratic opposition led by Suu Kyi and her National League for Democracy.

It was approved in an illegitimate referendum held just days after Cyclone Nargis devastated the country in May 2008 setting up elections which eventually took place in November 2010.

It set aside 25 percent of the seats in the new 440 seat House of Representatives for the military.

That is in addition to the seats won in the November, 2010 elections by the Union Solidarity and Development Party, which was founded by the military junta's Prime Minister Thein Sein and 22 of his fellow cabinet members who resigned from the army to form a so-called "civilian" political party.

The constitution barred Suu Kyi from running in the parliamentary elections.

And it forced the National League for Democracy to shut its doors because it would not kick Suu Kyi out of the party.

It should come as no surprise that the military-backed party won nearly 80 percent of the seats in the new parliament.

In addition to preventing Suu Kyi and the National League for Democracy from competing in the elections, the regime ensured that no international monitors would oversee the elections and journalists would be prohibited from covering the election from inside Burma.

President Obama correctly stated that the elections "were neither free nor fair, and failed to meet any of the

internationally accepted standards associated with legitimate elections."

The National League for Democracy described the elections and the formation of a new government as reducing "democratization in Burma to a parody."

Indeed, the new parliament elected Thein Sein, the last Prime Minister of the junta's State Peace and Development Council, as Burma's new president.

He is reported to be heavily influenced by Burma's senior military leader and former head of state, General Than Shwe.

The names change—the State Law and Order Restoration Council, the State Peace and Development Council, the Union Solidarity and Development Party—but the faces, the lack of democracy, the human rights abuses and the lawlessness remain the same.

So while we celebrate the release of Aung San Suu Kyi, we recognize that Burma is not free and the regime has failed to take the necessary steps to lift the import ban.

As called for in the original Burmese Freedom and Democracy Act, we must stand by the people of Burma and keep the pressure on the military regime to: end violations of internationally recognized human rights; release all political prisoners; allow freedom of speech and press; allow freedom of association; permit the peaceful exercise of religion; and bring to a conclusion an agreement between the military regime and the National League for Democracy and Burma's ethnic minorities on the restoration of a democratic government.

By every measure, the regime has failed to make progress in any of these areas.

We cannot reward the regime for 2,100 political prisoners, the use of child soldiers or the persecution of ethnic minorities. We can't reward the use of rape as an instrument of war or the continued use of torture. And we can't reward the use of forced labor or the wholesale displacement of civilians.

Until the regime changes its behavior and embraces positive, democratic change, we have no choice but to press on with the import ban as a part of a strong sanctions program.

This must include tough banking sanctions.

I would like to take this opportunity to once again urge the administration to put additional pressure on the ruling military junta by exercising the authority for additional banking sanctions on its leaders and followers as mandated by section 5 of the Block Burmese Junta's Anti-Democratic Efforts Act.

Some of my colleagues may be concerned about the effectiveness of the import ban and other sanctions on Burma and the impact on the people of Burma.

I understand their concerns. I am disappointed that we have not seen more progress towards freedom and democracy in Burma.

But let us listen to the voice of the democratic opposition in Burma on the efficacy of sanctions:

A paper released by Aung San Suu Kyi and the National League for Democracy in February 2011 argues that sanctions are not targeted at the general population and are not to blame for the economic ills of the country.

Rather, the economy suffers due to mismanagement, cronyism, corruption and the lack of the rule of law.

The best way for the Burmese government to get the sanctions lifted, the paper argues, is to make progress on democracy, human rights, and the rule of law. It concludes:

Now more than ever there is an urgent need to call for an all inclusive political process. The participation of a broad spectrum of political forces is essential to the achievement of national reconciliation in Burma. Progress in the democratization process, firmly grounded in national reconciliation, and the release of political prisoners should be central to any consideration of changes in sanctions policies.

I agree.

So, let us once again do our part and stand in solidarity with Aung San Suu Kyi and the people of Burma.

I urge my colleagues to support this important legislation and vote yes on the motion to invoke cloture on the motion to proceed.

I yield the floor.

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#### MORNING BUSINESS

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#### REMEMBERING 9/11

Mr. LEAHY. Mr. President, yesterday, Americans across the country gathered to remember the thousands of innocent lives that were taken so cruelly and indiscriminately in the terrorist attacks on September 11, 2001. Although a decade has passed, I vividly remember that tragic day. I was right here in Washington when American Airlines flight 77 struck the Pentagon. It was a defining moment for our country. Congress acted swiftly to create a fund to aid victims of the attacks, and we worked in a bipartisan manner to update our laws to counter these new enemies. In the years since September 11, 2001, the threat that violent extremists pose to America has endured, if not increased. Fortunately, the increased attention to preventing terrorist attacks by both the Bush and Obama administrations has prevented another large scale attack, and foiled numerous plots.

As we remember the victims of the September 11 attacks, and the soldiers and National Guard members who we have lost in the wars in Iraq and Afghanistan, we should also reflect on the lessons we have learned. In the aftermath of this tragedy, it became clear that turf battles between Federal law enforcement and intelligence agencies, and a resulting lack of information sharing between these agencies, contributed to the failures that allowed the hijackers to enter the country and evade authorities. In addition,

the Federal Bureau of Investigation, FBI, possessed deficient and outdated technology. It suffered from a woeful lack of skilled translators in key languages, and did not have sufficient numbers of counterterrorism analysts to swiftly absorb and comprehend intelligence information. Each of these factors contributed to the Government's failure to connect the dots prior to the attacks.

Faced with these issues and a new type of threat, our law enforcement and intelligence agencies were forced to adapt. Over the past decade, I have worked to ensure that our Federal agencies have the tools they need to make our borders more secure, improve our intelligence gathering, track down terrorists, and bring them to justice. Having expedited the hiring of translators and armed with upgraded technology, the FBI can now operate and communicate more efficiently. I have also supported efforts to refine government surveillance authority to allow agencies to gather the information they need to prevent additional attacks.

However, along with these expanded authorities, I have also worked to include essential oversight and accountability measures to ensure that these new powers do not go unchecked. The most intrusive surveillance authorities of the USA PATRIOT Act are subject to sunsets, which require Congress to revisit how the authorities have been used. Combined with inspector general audits and public reporting requirements, the American people and Congress can regularly scrutinize the use of these surveillance tools. The importance of oversight and supervision of Government powers to protect civil liberties was important before September 11, 2001, and even more critical after. While I firmly believe in keeping our Nation safe, relinquishing our freedoms and values will only weaken our ability to fight terrorism.

Ten years after September 11, 2001, the ability of our intelligence community to collect and analyze information has drastically improved. However, despite these improvements, we have vast amounts of information that can become overwhelming and lead to lapses in national security, such as the shootings at Fort Hood and the attempted Christmas Day bombing in 2009. As chairman of the Senate Judiciary Committee, I remain committed to ensuring that we continue to adapt and respond to evolving threats in order to keep this country safe from another terrorist attack, while upholding the rule of law and protecting critical civil liberties and privacy protections.

Although some of the national security policies and tactics of the past decade have caused divisiveness and controversy, President Obama delivered news on May 1, in which all Americans could take comfort. Justice had finally been served to Osama bin Laden for his atrocities. While the death of Osama bin Laden will never bring all of

his victims back, we hope that it may help bring closure to all those who still grieve over their loss. The hard work of our brave American service members, who have sacrificed so much, made this mission a success for the benefit of an entire country.

As we commemorate the sacrifices of so many that took place 10 years ago and in the wars since, we must continue to dedicate ourselves to upholding and strengthening the principles and values that define our democratic Nation. That is what distinguishes us from those who attacked us on September 11, 2001, it is what ultimately enable us to defeat them, and it is what people around the world expect from us.

Mr. CHAMBLISS. Mr. President, throughout this past week, Americans are observing the 10th anniversary of the September 11 terrorist attacks on our Nation. As we have properly done so many times since that horrific day, we remember and honor the innocent who perished in the Twin Towers, at the Pentagon, and in Shanksville, PA. We remember and honor the many brave men and women who have sacrificed their lives to defend this great country, from the heroes of flight 93, to the first responders and members of our military and intelligence community. We share in the grief still endured by so many families whose lives were permanently changed by this attack, and we resolve that their sacrifices will not be in vain.

In the wake of 9/11, one question has been asked repeatedly, but has yet to be answered completely: how can we better protect our homeland from another attack? As with so many difficult questions, finding an answer must begin with the acknowledgment that something went terribly wrong. Many experts, within and outside the government, have studied the intelligence failures leading up to 9/11. Certainly, there were clear warnings that our national security was at risk, including the first World Trade Center attack, the East Africa Embassy bombings, and the attack on the USS *Cole*. We all know those warnings were not heeded, mistakes were made, intelligence was not connected as it should have been, and our policies simply did not reflect the serious threat we were, and indeed still are, facing.

We often hear that, as a government, we have made a lot of progress in preventing another attack. The operation that killed Osama bin Laden showcased the progress that our military and intelligence community have made in working together to neutralize terrorists. Just as the disruption of the plot to attack the New York subway system in 2009 demonstrated the continuing transformation of the Federal Bureau of Investigation from a criminally-focused law enforcement agency to a full member of the intelligence community.

But, our record in preventing terrorist attacks here at home has not

been perfect. In 2009, fourteen service-members were killed in attacks on military facilities in Little Rock, AR, and Fort Hood, TX. Christmas Day 2009 brought the attempted bombing of an airplane over the skies of Detroit, an attack that if successful would likely have killed, at a minimum, all 289 people on board. A few months later, disaster was averted in Times Square only because explosives inside a vehicle failed to ignite.

Our successes and failures since 9/11 can teach us a lot about what we are doing right and where we must do better. First and foremost, we must all remain vigilant. I have heard it repeated in recent months, especially since the death of Osama bin Laden, that al-Qaida has been marginalized and they are not the threat they once were. In certain respects, this is accurate, but as we saw just this past weekend with the heightened concern that al-Qaida operatives would attack New York City or Washington, DC, al-Qaida remains a threat. We must also remember that al-Qaida has many facets and none of them are benign. We know that al-Qaida in the Arabian Peninsula today represents the biggest threat to our homeland and they are continually seeking new recruits, especially among our own citizens and former Guantanamo detainees. Their new status manifested itself with the Christmas Day bombing attempt, for which they immediately claimed responsibility.

Our country faces many different threats, from terrorism to hostile nation states to cyber attacks. We cannot afford to grow complacent or undo the progress we have made. I have heard too often that the intelligence community "can live with" changes to the PATRIOT Act, the FISA Amendments Act, or other classified authorities that are vital to preventing terrorist attacks. Prior to 9/11, we forced the intelligence community to "live with" many unnecessary restrictions and I believe that is a gamble we can no longer afford to take.

Second, we must ensure that the same mistakes that contributed to the September 11 attacks are not repeated. Following the failed Christmas Day attack, the Senate Intelligence Committee conducted an in-depth review to determine what intelligence there was leading up to the attack. The committee concluded that there were systemic breakdowns across the intelligence community that contributed to the failure to identify the threat posed by the Christmas Day bomber. Senator BURR and I submitted additional views to the report noting that some of the very same intelligence failures identified by the committee were also cited as failures leading up to 9/11, including a lack of aggressive analysis and insufficient technology to facilitate sharing and analysis of information. Compounding our concerns was the fact that the National Counterterrorism Center, NCTC, created in response to 9/11, still did not seem to understand

its statutory responsibility to integrate and analyze all terrorism-related intelligence. After so many years—and so much effort to reform the old ways of doing business—repeating the same mistakes is not an option. I am encouraged that, since the committee's report, NCTC has taken concrete steps towards meeting this responsibility and I am committed to ensuring they continue on this path.

I am also committed to ensuring that we do not retreat from the progress made in improving information sharing. Following 9/11 there were concerted efforts to remove stovepipes within the intelligence community and get the information to analysts who needed it. Unfortunately, some of the old tendencies to restrict intelligence are recurring, particularly amid concerns about Wikileaks. I share the anger about the many leaks of classified information that have jeopardized successful intelligence programs, such as the Terrorist Surveillance Program and the CIA's interrogation program. But we must be careful not to overreact by restricting access to information that analysts need to do their jobs.

Third, our policies and laws must promote effective intelligence collection, specifically with respect to detainees and foreign intelligence surveillance laws. Since the President ordered the closure of the detention facility at Guantanamo Bay in January 2009, our nation has been without a clear policy for detaining suspected terrorists. Without such a policy, including one that identifies a facility for holding terrorists captured outside Afghanistan, the intelligence community's ability to conduct intelligence interrogations is being severely limited. I recognize that there is no one-size-fits-all solution for handling terrorists, but our detention policies must foster full intelligence collection, before any prosecution begins. Yet our default seems to be that terrorists, such as the Christmas Day bomber, should be treated like ordinary criminals, given their Miranda rights, and prosecuted in Federal court, with all the protections enjoyed by criminal defendants. This means the opportunity for any interrogation, much less one that allows for in-depth intelligence questions, may be very short lived.

The bottom line is that the intelligence community cannot conduct effective interrogations without an established policy that includes a place for those interrogations to occur. While the administration maintains its intent to close Guantanamo Bay, I believe the facility there which I have visited and found to be impressive remains the best option for holding terrorists, like Ahmed Abdulkadir Warsame, captured off the coast of Yemen and transferred for prosecution after only 60 days of interrogation. Many of my colleagues, as well as the American people, have made clear that bringing suspected terrorists into the

United States is not a good solution. Moreover, Khalid Sheikh Mohammed and the other terrorists housed at Guantanamo Bay are not likely to leave there any time soon, especially as the recidivism rate among former detainees continues to rise. But regardless of whether Guantanamo or another facility outside the United States is selected, it is well past time for the President to come up with a long-term detention policy that allows for full and effective intelligence collection. Many of my colleagues and I have been asking for this policy, with no success. Quite simply, our intelligence community cannot afford further delays. Congress must stand ready to pass legislation that ensures our intelligence interrogations of suspected terrorists are not cut short because of arbitrary timelines or potential criminal proceedings.

Congress must also make permanent the remaining provisions in the USA PATRIOT Act and the Foreign Intelligence Surveillance Act that are subject to sunsets. Continually revisiting these laws because of arbitrary sunsets does not facilitate oversight, especially when we know that there have been no intentional abuses of these authorities. Moreover, each time we get into a public debate about how some of our most sensitive intelligence collection authorities are used, our enemies learn that much more about our methods. We know they pay attention to our laws and readjust their own communication methods in order to defeat our surveillance. This makes the intelligence community's job that much harder. We cannot expect intelligence analysts to put together vital pieces of information if we do not collect the information in the first place. It is time for Congress to give them permanent tools to do their jobs.

Our Nation, our families, and our communities have suffered tremendously because of the September 11 terrorist attacks. We must not forget that suffering, nor should we ever lose sight of the failures that prevented us from averting this tragedy in the first place. We must remain vigilant. Our Nation is fortunate to be blessed with outstanding men and women in the armed forces and our intelligence community who serve tirelessly to protect and defend us, wherever the threat. We owe them our thanks and our support. As we remember those who have sacrificed so much in this fight against terrorism, we must resolve to do all that is possible to protect and preserve our great Nation and our way of life.

Mr. BURR. Mr. President, I rise today to recognize the 10th anniversary of September 11, 2001.

This year, like every year that has passed since, our nation reflects back on the horrific attacks that cost the lives of 2,977 men, women, and children in New York, Pennsylvania, and at the Pentagon, and on the brave men and women who have laid their lives down since then in defense of the freedoms

and security we so often take for granted.

These coordinated attacks on our Nation had such a profound impact on our society and our world view that we now look at our recent history in two different phases, pre-9/11 and post-9/11. They made us more aware of the threats that we face as a nation, and they woke us up to the cold reality that the things we hold most dear as Americans are the very things that make us a target for terrorism.

However, these attacks and our collective response had a much deeper, more profound impact than that—they brought us together in a way that nothing else has since the Second World War, and they underscored the same spirit that has characterized our Nation and its citizens since America's founding. It is this spirit that truly sets America apart and makes us unique. It is a sense of perseverance and determination, a loyalty to our fellow Americans, and the willingness to risk it all for what we believe in. This spirit was forged in the fires of revolution, grew strong in the face of adversity, and has defined the character of our Nation since its inception.

These attacks were not just directed at buildings and people. They were meant to hit us at our core, to attack our very way of life and everything we stand for. They sought to instill fear and doubt in us, but they failed. They sought to intimidate us and disrupt our communities, but they failed. What they did was bind us together in a unified front to stand up to these injustices and push forward with the same spirit and character that the terrorists sought to destroy. We stood together, and in one collective voice said, "We will not be intimidated, and we will not be held down. We are Americans, and we stand together."

Ten years have passed since that fateful September morning, and not an American alive at the time will ever forget the horrors of that day. Those whom we lost will remain in our hearts forever, and images of the aftermath are permanently engrained in our memories. We came together to cope with a national tragedy and were reminded not of those things that divide us, but of those things that unify us. In the wake of tragedy, we found hope.

Though a decade has passed since then, I urge all Americans to look back to the days and weeks that followed 9/11 and remember that sense of unity and patriotism that was so prevalent. Though it is our diversity and differences that, in part, make us such a great and unique Nation, it is our common bonds that make us Americans. Let us put our differences aside and once again focus on those things that bind us, for we are all Americans, and we will forever be one nation under God.

## HONORING OUR ARMED FORCES

SPECIALIST DENNIS G. JENSEN

Mr. JOHNSON of South Dakota. Mr. President, I rise today to pay tribute SPC Dennis G. Jensen and his heroic service to our country. A member of the South Dakota National Guard, Spc. Jensen was serving in support of Operation Enduring Freedom. On August 16, 2011, he died of injuries sustained as a result of a bridge construction accident in Helmand Province, Afghanistan.

A 2009 graduate of Vermillion High School, SPC Jensen enlisted in the National Guard's 211th Engineer Company in May 2008. In May 2011, SPC Jensen volunteered to deploy to Afghanistan with the National Guard's 200th Engineer Company. It is a special person who is willing to deploy outside of his unit; SPC Jensen's courage and personal sacrifice is commendable. SPC Jensen's service commendations include the National Defense Service Medal, Global ar on Terrorism Service Medal, Afghanistan Campaign Medal, NATO Medal, Armed Forces Reserve Medal, Overseas Service Ribbon, and the Army Service Ribbon.

SPC Jensen will be remembered for his selfless service to our country and his willingness to put the needs of others before his own. He will be deeply missed by those who survive him: his father Glenn Jensen, mother Christine Bestgen, and sister Melissa Jensen.

SPC Jensen made the ultimate sacrifice for his soldiers and his country. Our Nation owes him a debt of gratitude, and the best way to honor his life is to emulate his commitment to our country. Mr. President, I join with all South Dakotans in expressing my deepest sympathy to the family and friends of SPC Dennis Jensen. He will be missed, but his service to our Nation will never be forgotten.

## THIS FOR DIPLOMATS

Mr. LEAHY. Mr. President, I would like to congratulate THIS for Diplomats of Washington, DC, on its 50th anniversary. Established in 1961, and formerly known as The Hospitality and Information Service, THIS has welcomed diplomats and their families from around the world to the Nation's Capital. Understanding the power of exchange, THIS continues to provide enriching educational, informational and cultural experiences.

In the past year, THIS' 300 volunteers donated 20,000 hours to provide 65 programs and 208 language and cultural exchanges with 1734 diplomats. Programs included seminars on American government; visits to the Supreme Court, White House, Pentagon, Library of Congress, private art collections, performances at the Kennedy Center, as well as a Sports in America series. Language conversation groups included Arabic, French, German, Italian, Japanese, Spanish, Turkish, and English.

Diplomats and their families from all over the world speak of how important

THIS has been to their adjustment to and appreciation of the United States. Congratulations to THIS for Diplomats and its volunteers around the world on 50 years of service in advocating peace, tolerance, and prosperity.

## TRIBUTE TO PETER VAN OOT

Mr. LEAHY. Mr. President, it is a great pleasure to call the Senate's attention to the economic development contributions of Peter Van Oot, a friend and former member of my staff. Pete, a native of Westminster, VT, has long served his community and our State with dedication and enthusiasm. Through his work with the Brattleboro Economic Development Credit Corporation board, and, more recently, the Green Mountain Economic Development Corporation, Pete has worked tirelessly to create jobs and to promote our local economy. Named Volunteer of the Year by the Northeast Economic Development Association, Pete was recently recognized for his hard work, and I take this opportunity to offer him my congratulations. I ask unanimous consent that an August 8 article highlighting his work, in the Brattleboro Reformer, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

## LOCAL LAWYER RECOGNIZED FOR HIS COMMITMENT TO ECONOMIC GROWTH

[From the Brattleboro Reformer, Aug. 8, 2011]

(By Josh Stilts)

BRATTLEBORO.—Peter D. Van Oot's said his vision of a healthy community starts with a strong local economy. Because of this commitment and his unwavering focus, which he attributes to his father, Van Oot was named Volunteer of the Year by the Northeast Economic Development Association.

Without access to good paying, secure jobs, the education system falters and it can easily lead to social injustice, he said.

"When mom and dad don't have a job anymore, bad things can happen," he said.

That's why in his 20s, Van Oot dedicated his spare time to establishing outlets for businesses to grow and to figure out ways to draw large employers to the area.

Van Oot grew up in Westminster and said he can remember when there were plenty of jobs and how much happier the residents seemed. After earning his law degree, he returned to the area and began working at Downs Rachlin Martin PLLC and nearly simultaneously started volunteering on the United Way of Windham County board.

"I realized quickly that if we didn't work to shore up the Windham County economy, all the organizations would be for naught," Van Oot said. "Without good-paying jobs and a solid local economy you lose the base of the community."

As unemployment rises, the strains on organizations such as the United Way and Youth Services becomes almost too much, he said.

About a decade ago he shifted his focus and began serving on the Brattleboro Economic Development Credit Corporation board.

"My interest really became how do we bring jobs to the area to fulfill the ones that left and bolster the economy," Van Oot said. "It was a fantastic organization to work

with. In the past two years we really did some great work. We've had economic development success with Grafton Cheese's retail store and brining in the Common Wealth Yogurt factory."

Not only do those businesses provide good paying jobs, they're also using Vermont based resources, Van Oot said.

"It really helps to fill the economic gaps," he said. "Like in golf, we need to fill in the divots."

Van Oot said there's a lot of people who have done and are doing what he does but urged younger people to get involved.

"Brattleboro had always been known as a community that had people who were involved in the economy, in rotary clubs and boards like the United Way," he said. "But now it's much more difficult to get younger business people involved in these types of activities."

He added that reaching out to young entrepreneurs has already started to bear fruit.

"Look at what they're doing with the BDCC small business competitions," Van Oot said. "What a great way to get people involved."

Jeff Lewis, executive director of the Brattleboro Economic Development Credit Corporation, said Van Oot was a champion of growing the local economy.

"Pete worked tirelessly to promote economic development in southern Vermont during his many years in Brattleboro," Lewis said. "His focus and leadership helped the organization create dynamic strategy that addressed widespread economic decline in the region."

Lewis added that Van Oot transformed the board's membership, created a robust public policy, orchestrated annual plan reviews and developed a BDCC CEO council.

"BDCC now annually exceeds its goals for economic development and its own financial stability," Lewis said. "Based on Pete's work with the board, BDCC is now leading a regional strategy project looking to address long-term job and population loss, and the prospective loss of the region's largest employer."

In the last couple of years Van Oot has transitioned from his Brattleboro office to the firm's Lebanon location, and it was there he got involved with another group, the Green Mountain Economic Development Corporation, which is similarly focused on creating community through jobs.

"Pete has brought that same deep level of commitment to his role on the board at GMEDC (that he had in Brattleboro)," said Joan Goldstein, the group's executive director. "Leadership of this type ought to be recognized and I am pleased that NEDA saw it the same way we did."

Van Oot will be presented his award at the NED's annual meeting on Oct. 24 at the Sheraton Hotel in Burlington.

## NATIONAL FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY

Mr. JOHNSON of South Dakota. Mr. President, today I rise to recognize September 9, 2011, as National Fetal Alcohol Spectrum Disorders Awareness Day. Fetal alcohol spectrum disorders, FASD, is an umbrella term describing the varied range of alcohol-related birth defects that may result from the use of alcohol during pregnancy. The effects of this disorder may involve mental, behavioral, and/or learning disabilities. FASD is the leading known cause of preventable cognitive impairment in America. It is estimated FASD effects 1 in 100 live births each year.

Unfortunately, my State of South Dakota suffers from one of the highest incidences of FASDs in the Nation. While I applaud the ongoing efforts of local organizations, State governments and federal agencies to address the public health threat of FASD, I continue to have great concern about this disorder's impact in South Dakota and across the country.

We must move past the stigma of this devastating disease to truly help those and their families who are affected by FASD get the health, education, counseling and support services they need and deserve. We must also address the tragedy of FASD at the source, by increasing awareness that any amount of alcohol during pregnancy can have heartbreaking, lifelong effects. Education and outreach efforts must continue their focus of ensuring this message is understood by all women of child-bearing age and ensuring access to treatment and counseling services for those at risk of substance abuse.

One of the most distressing facts regarding FASD is that it is entirely preventable. I have joined my colleagues in the Senate to introduce and pass a resolution designating September 9, 2011 as National FASD Awareness Day. It is my hope these efforts progress towards global awareness of FASD and an end to this destructive disease.

#### NATIONAL SUICIDE PREVENTION WEEK AND WORLD SUICIDE PREVENTION DAY

Mr. JOHNSON of South Dakota. Mr. President, I rise today to recognize the 37th annual National Suicide Prevention Week, which began on September 4 and culminated with World Suicide Prevention Day on September 10. I take this opportunity to reflect on the destructive effects of suicide on families and communities and to raise awareness about the need for an effective national suicide prevention strategy to help communities address this serious public mental health threat. Suicide is a major cause of premature death, and we must do more to prevent it.

The statistics about suicide are deeply concerning. In our Nation, suicide is the 11th leading cause of death for all ages. Among young adults ages 15 through 24, there are approximately 100 to 200 attempts for every completed suicide. Suicide takes the lives of approximately 30,000 Americans each year, and a person dies by suicide almost every 15 minutes. Our Nation's veterans account for 20 percent of suicides and the Army recently suffered a record number of suicides this past July.

In my State of South Dakota, suicide is the fourth-leading cause of death among all South Dakotans and the second-leading cause of death for adolescents and young adults between the ages of 10 and 24. The rate of youth suicide in my State is over three times

the national average. These statistics place South Dakota among a group of Western States that consistently has a higher rate of suicide than the rest of the country.

Youth suicide among American Indians in South Dakota is of particular concern. The suicide rate for American Indians ages 15 to 34 is more than two times higher than the national average and is the second leading cause of death for this age group. The suicide rate for the Rosebud Sioux Tribe is among the highest in the world. The loss of young people to suicide is a real crisis. On American Indian reservations in South Dakota, I have seen the catastrophic ripple effect that one suicide can have. Given the alarming occurrence of "suicide clusters" and imitative deaths that have occurred in Indian country in the past, it is imperative to provide support for those at risk.

Substance abuse and violence, two accepted risk factors for suicide, are common on the reservation, and tribe members also face extreme poverty and geographic isolation. During the past few years, I have been encouraged by the increased recognition of the need for suicide prevention programs in tribal areas. Tribes now have more access to funds that will aid in the building of suicide prevention programs. However, we must continue to provide tribes with the resources they need to implement culturally sensitive suicide prevention programs. It is critical to strengthen the social fabric to help improve mental health. Youth suicide prevention programs have helped bridge this service gap, but further investments are necessary to sustain and expand these efforts. Decreasing the number of suicides in Indian country will require increased community awareness, developing effective prevention and intervention methods, and enhancing access to mental health service providers.

Studies indicate the best way to prevent suicide is through early recognition and treatment of depression and other psychiatric illnesses. Depression goes unrecognized in half of the general population and in 80 percent of seniors. Over 90 percent of suicide victims have a significant psychiatric illness at the time of their death. These are often undiagnosed, untreated, or both.

Furthermore, it is necessary to acknowledge the obstacles that individuals at risk of suicide face in accessing treatment. Lack of insurance coverage, limited access to affordable mental health care, as well as cultural stigmas and myths about suicide pose significant barriers to treatment. A serious effort to prevent suicide must break down those barriers and expand access to mental health services nationwide, with a special focus on increased mental health awareness and improving prevention and early intervention methods. In addition, investments in tools to evaluate intervention and prevention methods and training pro-

grams for health care professionals are needed to foster the development and implementation of evidence-based and emerging best practices in the prevention of suicide.

National Suicide Prevention Week and World Suicide Prevention Day are reminders that suicide is a preventable cause of premature death that tears families and communities apart, and more can be done to prevent these tragedies. Each day, families and communities across the Nation suffer devastating losses as a result of suicide. It is estimated that for each suicide, seven other lives are altered forever. Every year, approximately 200,000 people become survivors due to this tragic loss of life. Many suicide survivors are left devastated, confused and weakened by their loss. Friends and family often experience depression, guilt, shock and anger. Unfortunately, there remains a stigma surrounding suicide and mental illness, and victims often shoulder some of the blame.

I appreciate this opportunity to increase awareness about the destructive impact of suicide on America's families and communities and to raise awareness about the urgent need for an effective national suicide prevention strategy to help communities prevent future losses of life.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO GARY SONSTENG

• Mr. TESTER. Mr. President, today I honor Gary Sonsteng and his service to the United States of America during the Vietnam war.

Gary enlisted in the U.S. Navy at the age of 17.

As a boatswain mate second class, Gary was assigned to the U.S.S. Talladega for several years. After a stint in Japan, Gary served on patrol boats in the Mekong Delta in Vietnam for a little over a year.

In 1971, after 6 years of wartime service, Gary quietly returned to his home in Butte, MT, where he worked as a miner and a truck driver for more than 30 years.

Gary is a modest man. He never asked for recognition for his service in Vietnam. And through all these years, that recognition of his valor and service slipped through the cracks.

In working with my office, we discovered that Gary never received the medals he earned decades ago. Gary insists his service was, quote, "nothing extraordinary." I, along with millions of Americans and the U.S. military, see it differently.

Last month, I had the honor of presenting Gary Sonsteng with a Combat Action Ribbon, and a Navy Commendation Medal with a Combat Valor Device. This Navy Commendation Medal is reserved for "sustained acts of heroism or meritorious service."

It was also my honor to present Gary a Presidential Unit Citation Ribbon, an



award earned for displaying gallantry and determination under extremely difficult and hazardous conditions.

Last month I also presented to Gary: A Vietnam Service Medal with one silver star and four bronze stars, the Navy Unit Commendation Ribbon, and the Vietnam Campaign Medal with 1960 Device and Discharge Button.

These six medals are a long overdue addition to the prestigious medals Gary has already received for his service to America: the National Defense Service Medal, the Meritorious Unit Commendation Ribbon with one silver star, and the Naval Reserve Meritorious Service Medal.

All of these medals are presented on behalf of a grateful nation. They may be small tokens, but they are powerful symbols of true heroism. Sacrifice. And dedication to service.

Gary, I join all Montanans and all Americans in saying thank you.●

#### RECOGNIZING RAVEN-AEROSTAR EMPLOYEES

● Mr. JOHNSON of South Dakota. Mr. President, I wish to commend the team at Raven-Aerostar of Sioux Falls, SD, for their service and dedication to excellence in supporting Operation Enduring Freedom in Afghanistan. Aerostar employees have designed, built, and serviced tethered aerostats for the U.S. military's Persistent Ground Surveillance System, PGSS, since its inception less than 2 years ago, rapidly fielding the first systems for use in the protection of U.S. and coalition troops. This summer, Aerostar deployed three of their own employees to Afghanistan to provide technical support and analysis of current aerostat systems. Pat Thies, Walter Halbleib, and Ryan Casey recently returned safely to South Dakota after having traveled to numerous remote Forward Operating Bases throughout the war zone. During their 6-week mission they traversed Afghanistan with U.S. and coalition forces via fixed-wing aircraft, helicopter, and ground convoy. Their mission was an immediate success as they offered real-time, on-site technical expertise to PGSS operators and maintenance personnel. In addition, they were able to provide instant recommendations to Aerostar engineers in Sioux Falls for improved designs and processes.

Raven-Aerostar is a proven manufacturer of high-performance tethered aerostat systems used in persistent surveillance and communication relays. In Afghanistan, these lighter-than-air blimps hover above military outposts in hostile areas and provide continuous imagery used in the detection of improvised explosive devices, IEDs, and other insurgent activity. Ultimately, Aerostar's products save lives, while also saving money for U.S. taxpayers.

I applaud Pat, Walter, and Ryan on a job well done, and for their dedication. They and their fellow Aerostar employees represent the commitment to serv-

ice so prevalent throughout our great State of South Dakota.●

#### LEGISLATIVE PROPOSAL ENTITLED THE "AMERICAN JOBS ACT"—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

*To the Congress of the United States:*

Today, I am pleased to submit to the Congress the enclosed legislative proposal, the "American Jobs Act of 2011," together with a section-by-section analysis of the legislation.

The American people understand that the economic crisis and the deep recession were not created overnight and will not be solved overnight. The economic security of the middle class has been under attack for decades. That is why I believe we need to do more than just recover from this economic crisis—we need to rebuild the economy the American way, based on balance, fairness, and the same set of rules for everyone from Wall Street to Main Street. We can work together to create the jobs of the future by helping small business entrepreneurs, by investing in education, and by making things the world buys.

To create jobs, I am submitting the American Jobs Act of 2011—nearly all of which is made up of the kinds of proposals supported by both Republicans and Democrats, and that the Congress should pass right away to get the economy moving now. The purpose of the American Jobs Act of 2011 is simple: put more people back to work and put more money in the pockets of working Americans. And it will do so without adding a dime to the deficit.

First, the American Jobs Act of 2011 provides a tax cut for small businesses, to help them hire and expand now, and an additional tax cut to any business that hires or increases wages. In addition, the American Jobs Act of 2011 puts more money in the pockets of working and middle class Americans by cutting in half the payroll tax that comes out of the paycheck of every worker, saving typical families an average of \$1,500 a year.

Second, the American Jobs Act of 2011 puts more people back to work, including teachers laid off by State budget cuts, first responders and veterans coming back from Iraq and Afghanistan, and construction workers repairing crumbling bridges, roads and more than 35,000 schools, with projects chosen by need and impact, not earmarks and politics. It will repair and refurbish hundreds of thousands of foreclosed homes and businesses in communities across the country.

Third, the American Jobs Act of 2011 helps out-of-work Americans by extending unemployment benefits to help them support their families while look-

ing for work, and by reforming the system with training programs that build real skills, connect to real jobs, and help the long-term unemployed. It bans employers from discriminating against the unemployed when hiring, and provides a new tax credit to employers hiring workers who have been out of a job for over 6 months. And, it expands job opportunities for hundreds of thousands of low-income youth and adults through a new Pathways Back to Work Fund that supports summer and year round jobs for youth; innovative new job training programs to connect low-income workers to jobs quickly; and successful programs to encourage employers to bring on disadvantaged workers.

Lastly, this legislation is fully paid for. The legislation includes specific offsets to close corporate tax loopholes and asks the wealthiest Americans to pay their fair share that more than cover the cost of the jobs measures. The legislation also increases the deficit reduction target for the Joint Committee by the amount of the cost of the jobs package and specifies that, if the Committee reaches that higher target, then their measures would replace and turn off the specific offsets in this legislation.

I urge the prompt and favorable consideration of this proposal.

BARACK OBAMA.  
THE WHITE HOUSE, September 12, 2011.

#### MESSAGES FROM THE HOUSE

At 2:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1892. An act to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

ENROLLED BILL SIGNED

At 4:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1249. An act to amend title 35, United States Code, to provide for patent reform.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUE).

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1892. An act to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.



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-3098. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2,4-D; Pesticide Tolerances" (FRL No. 8881-7) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3099. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandipropamid; Pesticide Tolerances for Emergency Exemptions" (FRL No. 8886-8) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3100. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Novaluron; Pesticide Tolerances" (FRL No. 8882-1) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3101. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dicamba; Pesticide Tolerances" (FRL No. 8881-6) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3102. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lipase, triacylglycerol; Exemption from the Requirement of a Tolerance" (FRL No. 8882-4) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3103. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chromobacterium subsp. strain PRAA4-1t; Exemption from the Requirement of a Tolerance" (FRL No. 8887-4) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3104. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flubendiamide; Pesticide Tolerances; Technical Amendment" (FRL No. 8870-8) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3105. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Findings and Failure to Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2006 Fine Particulate Matter (PM<sub>2.5</sub>) NAAQS" (FRL No. 9460-4) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Environment and Public Works.

EC-3106. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination to Stay and Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9462-1) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Environment and Public Works.

EC-3107. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; Utah; Maintenance Plan for the 1-Hour Ozone Standard for Salt Lake County and Davis County" (FRL No. 9460-6) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Environment and Public Works.

EC-3108. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revised Motor Vehicle Emission Budgets for the Charleston, Huntington, Parkersburg, Weirton, and Wheeling 8-Hour Ozone Maintenance Areas" (FRL No. 9462-6) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Environment and Public Works.

EC-3109. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the California State Implementation Plan; Yolo-Solano Air Quality Management District" (FRL No. 9456-6) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Environment and Public Works.

EC-3110. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designation of Hazardous Substances; Designation, Reportable Quantities, and Notification" (FRL No. 9460-9) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Environment and Public Works.

EC-3111. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination to Stay and Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9462-5) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Environment and Public Works.

EC-3112. A communication from the Secretary of Energy, transmitting a legislative proposal relative to eliminating the requirement that the Department of Energy annually update workforce restructuring plans for defense nuclear facilities, and submitting these updates to Congress; to the Committee on Armed Services.

EC-3113. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the General Electric Co. in Evendale, Ohio, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-3114. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-110 "Campaign Finance Re-

porting Temporary Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-3115. A communication from the Secretary to the Council of the District of Columbia, transmitting, pursuant to law, a report on Council Resolution 19-144 "Transfers of Jurisdiction over Portions of Reservation 470 and Lot 811 in Square 1759 Approval Resolution of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-3116. A communication from the Secretary to the Council of the District of Columbia, transmitting, pursuant to law, a report on Council Resolution 19-143 "Transfers of Jurisdiction over Portions of U.S. Reservation 542 and Lot 09 in Square 1772 Approval Resolution of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-3117. A communication from the Executive Director, Christopher Columbus Fellowship Foundation, transmitting, pursuant to law, the General/Trust Fund Financial Statements for fiscal year 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-3118. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending December 31, 2010"; to the Committee on the Judiciary.

EC-3119. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (180); Amdt. No. 3434" (RIN2120-AA65) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3120. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (25); Amdt. No. 3435" (RIN2120-AA65) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3121. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Amdt. No. 3439" (RIN2120-AA65) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3122. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Amdt. No. 3438" (RIN2120-AA65) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3123. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (253); Amdt. No. 3436" (RIN2120-AA65) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3124. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled “Modification of Class D and E Airspace; Fort Huachuca” ((RIN2120-AA66) (Docket No. FAA-2011-0359)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3125. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Hearne, TX” ((RIN2120-AA66) (Docket No. FAA-2011-0214)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3126. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Ranger, TX” ((RIN2120-AA66) (Docket No. FAA-2010-1240)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3127. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Nephi, UT” ((RIN2120-AA66) (Docket No. FAA-2011-0184)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3128. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Kayenta, AZ” ((RIN2120-AA66) (Docket No. FAA-2011-0393)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3129. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Grand Marais, MN” ((RIN2120-AA66) (Docket No. FAA-2011-0047)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3130. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Hannibal, MO” ((RIN2120-AA66) (Docket No. FAA-2011-0046)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3131. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Staunton, VA” ((RIN2120-AA66) (Docket No. FAA-2010-1285)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3132. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Fulton, MO” ((RIN2120-AA66) (Docket No. FAA-2011-0121)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3133. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Ava, MO” ((RIN2120-AA66) (Docket No. FAA-2011-0122)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3134. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Amendment of Class E Airspace; Lakeland, FL” ((RIN2120-AA66) (Docket No. FAA-2011-0005)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3135. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class E Airspace; Alturas, CA” ((RIN2120-AA66) (Docket No. FAA-2011-0403)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3136. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class E Airspace; Glasgow, MT” ((RIN2120-AA66) (Docket No. FAA-2011-0362)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3137. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Modification of Class E Airspace; Forsyth, MT” ((RIN2120-AA66) (Docket No. FAA-2011-0516)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3138. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Revision of Class E Airspace; Talkeetna, AK” ((RIN2120-AA66) (Docket No. FAA-2011-0444)) received during recess of the Senate in the Office of the President of the Senate on August 3, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3139. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Revision of Class E Airspace; Yakutat, AK” ((RIN2120-AA66) (Docket No. FAA-2011-0244)) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3140. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Aviation Fuel and Oil Oper-

ating Limitations: Policy Memorandum” ((RIN2120-AA64) (ANE-2010-33.7-5A)) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3141. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Houma Navigation Canal, from Waterway Mile Markers 19.0 to 20.0, Southwest of Bayou Plat, bank to bank, Terrebonne Parish, LA” ((RIN1625-AA00) (Docket No. USCG-2011-0523)) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3142. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; San Diego POPS Fireworks, San Diego, CA” ((RIN1625-AA00) (Docket No. USCG-2011-0567)) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3143. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Raritan River, Arthur Kill and their Tributaries, Staten Island, NY and Elizabeth, NJ” ((RIN1625-AA09) (Docket No. USCG-2010-1117)) received in the Office of the President of the Senate on September 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3144. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zones; July Fireworks Displays and Swim Events in the Captain of the Port New York Zone” ((RIN1625-AA00) (Docket No. USCG-2011-0565)) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3145. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Fireworks within the Sector Boston Captain of the Port Zone” ((RIN1625-AA00) (Docket No. USCG-2011-0507)) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3146. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Truman-Hobbs Alteration of the Elgin Joliet and Eastern Railroad Drawbridge; Illinois River, Morris, Illinois” ((RIN1625-AA00) (Docket No. USCG2011-0584)) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3147. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Standard Instrument Approach Procedures (6); Amdt. No. 3437” ((RIN2120-AA65)) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3148. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Policy Clarifying Definition of 'Actively Engaged' for Purposes of Inspector Authorization" ((RIN2120-AA64) (Docket No. FAA-2010-1060)) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3149. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0718)) received in the Office of the President of the Senate on August 2, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3150. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0257)) received during recess of the Senate in the Office of the President of the Senate on August 2, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3151. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747 Airplanes and Model 767 Airplanes Equipped with General Electric Model CF6-80C2 or CF6-80A Series Engines" ((RIN2120-AA64) (Docket No. FAA-2008-0402)) received in the Office of the President of the Senate on August 2, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3152. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SOCATA Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0530)) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3153. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Model FALCON 7X Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0631)) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3154. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company (Cessna) Models 337, 337A (USAF 02B), 337B, 337C, 337D, 337E, T337E, 337F, T337F, 337G, T337G, M337B, F337E, FT337E, F337F, FT337F, F337G, and FT337GP Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0450)) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3155. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Superior Air Parts and Lycoming Engines (Formerly Textron Lycoming) Fuel-Injected Engines" ((RIN2120-AA64) (Docket No. FAA-

2011-0547)) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3156. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Columbus Lawson AAF, GA" ((RIN2120-AA66) (Docket No. FAA-2011-0012)) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3157. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (30); Amdt. No. 495" ((RIN2120-AA63) received during recess of the Senate in the Office of the President of the Senate on August 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3158. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 121—Activation of Ice Protection" ((RIN2120-AJ43) (Docket No. FAA-2009-0675)) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3159. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Restrictions on Operators Employing Former Flight Standards Service Aviation Safety Inspectors" ((RIN2120-AJ36) (Docket No. FAA-2008-1154)) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3160. A communication from the Chief of Revenues and Receivables Group, Office of Managing Director—Financial Operations, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Assessment and Collection of Regulatory Fees for Fiscal Year 2011" (MB Docket No. 11-76, FCC 11-114) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3161. A communication from the Deputy Bureau Chief of Staff, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band" (FCC 11-113) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3162. A communication from the Chief, Broadband Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating the Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licenses" (WT Docket No. 10-153, FCC 11-120) received during recess of the Senate in the Office of the President of the Senate on August 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3163. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Leased

Commercial Access; Development of Competition and Diversity in Video Programming Distribution and Carriage" (WT Docket No. 07-42, FCC 11-119) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3164. A communication from the Satellite Division Chief, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "The Establishment of Policies and Service Rules for the Broadcasting Satellite Service at the 17.3-17.7 GHz Frequency Band and at the 17.7-17.8 GHz Frequency Band and at the 124.75-25.25 GHz Frequency Band Internationally . . . for the Satellite Services Operating Bi-directionally in the 17.3-17.8 GHz Frequency Band" (IB Docket No. 06-123) received during recess of the Senate in the Office of the President of the Senate on August 8, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3165. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program" (CG Docket No. 10-51) received during recess of the Senate in the Office of the President of the Senate on August 8, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3166. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Gearhart, Madras, and Manzanita, Oregon)" (MB Docket No. 10-118) received during recess of the Senate in the Office of the President of the Senate on August 8, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3167. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Eau Claire, Wisconsin" (MB Docket No. 11-100) received during recess of the Senate in the Office of the President of the Senate on August 8, 2011; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 958. A bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 1094. A bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

#### 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 Ms. COLLINS (for herself, Mr. ALEXANDER, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. CORNYN, Mr. HOEVEN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KYL, Mr. MORAN, Mr. THUNE, Mr. KIRK, and Mr. ROBERTS):

S. 1538. A bill to provide for a time-out on certain regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself and Mr. MENENDEZ):

S. 1539. A bill to provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China; to the Committee on Foreign Relations.

By Mr. CASEY:

S. 1540. A bill to amend the Internal Revenue Code of 1986 to allow credits for the purchase of franchises by veterans; to the Committee on Finance.

By Mr. BENNET (for himself and Ms. AYOTTE):

S. 1541. A bill to revise the Federal charter for the Blue Star Mothers of America, Inc. to reflect a change in eligibility requirements for membership; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. HATCH):

S. 1542. A bill 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 for other purposes; to the Committee on Finance.

By Mr. AKAKA:

S. 1543. A bill to amend chapters 83 and 84 of title 5, United States Code, to address retirement for Pentagon Force Protection Agency officers; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself and Mr. TOOMEY):

S. 1544. A bill to amend the Securities Act of 1933 to require the Securities and Exchange Commission to exempt a certain class of securities from such Act; to the Committee on Banking, Housing, and Urban Affairs.

#### ADDITIONAL COSPONSORS

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 265

At the request of Mr. COCHRAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 265, a bill to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park.

S. 504

At the request of Mr. DEMINT, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 504, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 560

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 560, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program.

S. 576

At the request of Mr. HARKIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 576, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 633

At the request of Ms. SNOWE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 633, a bill to prevent fraud in small business contracting, and for other purposes.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 743

At the request of Mr. AKAKA, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 743, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 805

At the request of Mr. BAUCUS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 805, a bill to amend the Consolidated Farm and Rural Development Act to improve the business and industry direct and guaranteed loan program of the Department of Agriculture.

S. 847

At the request of Mr. LAUTENBERG, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 866

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 1239

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1239, a bill to provide for a medal of appropriate design to be awarded by the President to the memorials established at the 3 sites honoring the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) 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 persons, and for other purposes.

S. 1392

At the request of Ms. COLLINS, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors 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. 1438

At the request of Mr. JOHNSON of Wisconsin, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1438, a bill to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 7.7 percent.

S. 1454

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1454, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 1465

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1465, a bill to authorize a pilot program on enhancements of Department of Defense efforts on mental health in the National Guard and Reserves through community partnerships, and for other purposes.

S. 1467

At the request of Mr. BLUNT, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1467, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services.

S. 1506

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1506, a bill to prevent the Secretary of

the Treasury from expanding United States bank reporting requirements with respect to interest on deposits paid to nonresident aliens.

S. 1507

At the request of Mr. HATCH, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1507, a bill to provide protections from workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1508

At the request of Mr. MENENDEZ, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. INOUE), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1508, a bill to extend loan limits for programs of the Federal Housing Administration, the government-sponsored enterprises, and the Department of Veterans Affairs, and for other purposes.

S. 1527

At the request of Mrs. HAGAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1527, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1528

At the request of Mr. JOHANNIS, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1528, a bill to amend the Clean Air Act to limit Federal regulation of nuisance dust in areas in which that dust is regulated under State, tribal, or local law, to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, and for other purposes.

S. 1530

At the request of Mr. JOHANNIS, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1530, a bill to amend chapter 8 of title 15, United States Code, to provide for congressional review of agency guidance documents.

S. 1531

At the request of Mr. JOHANNIS, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1531, a bill to provide a Federal regulatory moratorium, and for other purposes.

S. RES. 248

At the request of Mr. KERRY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Res. 248, a resolution supporting the goals and ideals of National Brain Aneurysm Awareness Month.

S. RES. 253

At the request of Mr. HOEVEN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 253, a resolution designating October 26, 2011, as "Day of the Deployed".

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. ALEXANDER, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. CORNYN, Mr. HOEVEN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KYL, Mr. MORAN, Mr. THUNE, Mr. KIRK, and Mr. ROBERTS):

S. 1538. a bill to provide for a timeout on certain regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, last month's dire economic news is a call to urgent action to get America working again. In August, our Nation produced no net new jobs. Productivity fell. Home sales fell. Construction spending fell. The manufacturing index declined. Unemployment is stagnant at 9.1 percent, and consumer confidence is plummeting.

Businesses, our Nation's job creators and the engine of any lasting economic growth, have been saying for some time that the lack of jobs is largely due to a climate of uncertainty, most notably the uncertainty and cost created by new Federal regulations.

The Regulatory Time-Out Act, which I am introducing today with 16 of my colleagues, provides job creators with a sensible breather from these burdensome new regulations. This would give businesses time to get back on their feet, create the jobs that Americans so desperately need, and enhance the global competitiveness of American workers.

Let me make clear that we also need to reform the process for issuing regulations. Earlier this year I proposed the CURB Act, which stands for Clearing Unnecessary Regulatory Burdens. The CURB Act would require agencies to examine the costs and benefits of proposed rules, prohibit them from attempting to set rules through unofficial guidance documents—thus circumventing the public notice and comment period—and provide businesses with relief from first-time paperwork violations when no harm comes from the violation. Senators BARRASSO and ROBERTS joined me in introducing this bill.

Indeed, as I am sure you are aware, many of our colleagues have recognized the need to reform the regulatory process and have introduced their own proposals. The Homeland Security and Governmental Affairs Committee has already held three hearings on regulatory reform this year, and I expect this issue will be a priority for our committee this fall.

But the fact is, our economy cannot wait for Congress to complete an overhaul of the regulatory process. If we want to create more jobs, we must act now. We must send a clear signal to the job creators that we have heard them. That is why I believe we must have a timeout from any significant new regulation that would have an adverse im-

act on jobs, the economy, or our international competitiveness.

Under my bill, no significant final rule that would have an adverse impact could go into effect during a 1-year moratorium. This timeout would cover major rules costing more than \$100 million per year, and other rules that have been considered "significant" under Executive orders going back to President Clinton and followed by President George W. Bush and President Obama.

Let me give an example of a rule that would be covered by the 1-year moratorium I am proposing. A rule that would be covered by this definition is EPA's Boiler MACT rule. I am sure the Presiding Officer is familiar with this rule. This one regulation, if it were fully implemented, could cost Maine's employers alone hundreds of millions of dollars. In fact, as the Wall Street Journal has recently reported, a jobs study just released shows that Boiler MACT, along with other pending air regulations, could cause 36 pulp and paper mills around the country to close, putting more than 20,000 Americans out of work. That is 18 percent of that industry's workforce. That shows you the potent and terrible impact excessive regulation can have on job preservation and job creation.

And that is just for starters. Once these mills close, the businesses that supply them would also be forced to lay off workers. Estimates are that nearly 90,000 Americans would lose their jobs, wages would drop by \$4 billion, and government at all levels would see revenues decline by a staggering \$1.3 billion.

That is why, along with Senator RON WYDEN, I have introduced a Boiler MACT bill that 24 of our colleagues on both sides of the aisle have already cosponsored. Our bill has been endorsed by 292 employer organizations and individual businesses—292 businesses and organizations representing employers. That shows you how worried our job creators are about the impact of just this one set of rules. Their letter sums up the impact of the Boiler MACT rule very plainly. It says:

These rules place at risk tens of thousands of high-paying manufacturing jobs that our Nation cannot afford to lose.

The Boiler MACT regulations are exactly the kind of significant rules that my Regulatory Time-Out Act is intended to reach. The moratorium applies to rules issued by independent regulatory agencies such as the National Labor Relations Board as well as executive branch departments.

The impact of the regulatory burden under President Obama can be seen in the pages of the *Federal Register*. As my colleagues know, the *Federal Register* is the publication for all Federal regulations. Last year alone, the *Federal Register* expanded by nearly 82,600 pages, a level higher than any year under President Bush. Worse yet, the Obama administration has 144 rules in the pipeline that would each cost the economy at least \$100 million. This is

nearly twice as high as the number of such rules that were in the pipeline each year of the Bush administration.

Let me clarify that the legislation I am proposing exempts those rules that are needed in emergencies such as imminent threats to public health or safety, as well as rules that are necessary to enforce our criminal laws, and with respect to military or foreign affairs. I think it is important that I put that on the record.

It also exempts rules that would reduce the regulatory burden, in order to help the private sector create jobs and boost the ability of American workers to compete. Unfortunately, those rules that actually reduce regulatory burdens and promote jobs are few and far between.

Finally, my bill requires that within 10 days of passage, agencies and departments must submit to Congress and to the Office of Management and Budget the list of rules they believe are exempt from the 1-year moratorium. That is important to make sure the intent of the law is followed and that Congress and the administration can exercise appropriate oversight.

The intent of my bill is to lift the cloud of uncertainty that is causing employers to be cautious and to refrain from creating jobs—jobs our economy desperately needs.

During the August recess, I asked employers throughout the great State of Maine what it would take to encourage them to add jobs. To a person, no matter what line of business these employers were in, no matter what the size of their workforce, each one of them replied that Washington needed to stop imposing crushing new regulations; that these job creators needed stable progrowth economic policies; that they needed an end to the uncertainty that was hampering their decisionmaking.

I am pleased that the Regulatory Time-Out Act has been endorsed by the NFIB, our Nation's largest small business advocacy group, and by the Small Business & Entrepreneurship Council. My bill has also been welcomed by the U.S. Chamber of Commerce, which has stated:

American businesses need immediate relief. A "time out" would allow both the regulators and the regulated to take a deep breath and ensure that regulations are not destroying jobs and economic growth.

I agree completely. I will ask that the letters from the NFIB, the SBEC, and the statement by the Chamber of Commerce, be printed in the RECORD at the conclusion of my remarks.

I am honored to have the following colleagues as cosponsors of this 1-year regulatory moratorium: Senators ALEXANDER, BARRASSO, BLUNT, BOOZMAN, CHAMBLISS, COATS, COBURN, CORNYN, HOEVEN, HUTCHISON, ISAKSON, KIRK, KYL, MORAN, ROBERTS and THUNE.

I urge all of our colleagues to support the Regulatory Time-Out Act, which is a critical step toward easing the regu-

latory uncertainty and costs that are keeping our job creators from getting Americans back to work.

Mr. President, I ask unanimous consent that materials of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 6, 2011.

Hon. JOHN A. BOEHNER,  
*House of Representatives, Longworth House Office Building, Washington, DC.*

Hon. NANCY PELOSI,  
*House of Representatives, Cannon House Office Building, Washington, DC.*

Hon. HARRY M. REID,  
*U.S. Senate, Hart Senate Office Building, Washington, DC.*

Hon. MITCH MCCONNELL,  
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SPEAKER BOEHNER; MINORITY LEADER PELOSI; MAJORITY LEADER REID; MINORITY LEADER MCCONNELL: We are writing to express our united and strong support for H.R. 2250 and S. 1392, the "EPA Regulatory Relief Act of 2011," bipartisan legislation to address the serious concerns that remain with EPA's Boiler MACT rules. As they exist today, the final Boiler MACT rules will have serious economic impacts on a vast array of facilities across the industrial, commercial and institutional sectors. These rules place at risk tens of thousands of high-paying manufacturing jobs that our nation cannot afford to lose.

As finalized, the Boiler MACT rules are unaffordable, just as the proposed rules were. The rules are not achievable for real-world boilers across the range of fuels and operating conditions. EPA also has created a presumption that materials commonly used as fuels are wastes subject to the extremely costly and stigmatizing incinerator standards. This would not only impose billions of dollars in unreasonable costs, but it also would cause millions of tons of valuable materials to be diverted to landfills and replaced with fossil fuel—a bad result for the environment.

As EPA has acknowledged, the rules were finalized with serious flaws because EPA was forced to meet a strict court-ordered deadline. The final Boiler MACT rule alone would cost over \$14 billion in capital for the manufacturing sector, plus billions more in annual operating costs. Complying with the incinerator standards could cost several billion dollars more in capital.

Legislation is needed to resolve serious uncertainties and vulnerabilities, including to:

Ensure the rules are stayed for an adequate and certain period, as EPA's current administrative stay is being challenged in court;

Allow EPA adequate time to re-propose the rules and get them right, including time for stakeholders to conduct more emissions testing and to avoid mistakes that occur when rulemakings of this scope and importance are rushed and become vulnerable to legal challenge;

Provide direction and support for EPA to use the discretion it already has under the Clean Air Act and Executive Order 13563 to add flexibility and make the rules achievable;

Clarify that using non-hazardous materials as fuels does not result in boilers being treated as incinerators; and

Give facilities more time to comply with the complex and capital-intensive requirements of the rules.

If enacted, the "EPA Regulatory Relief Act" will provide the much-needed certainty

and time for EPA to get the rules right and for businesses that will be investing billions of dollars to rationally plan for the capital expenses. This legislation will preserve jobs and the competitiveness of the U.S. manufacturing sector while protecting the environment.

We urge you to pass this important legislation as soon as possible and send it to the President for his signature.

Sincerely,

A/C Power Colver; AbitibiBowater; Alabama Forestry Association; Alabama Pulp & Paper Council; Allegheny Hardwood Utilization Group, Inc.; American Architectural Manufacturers Association; American Chemistry Council; American Coatings Association; American Coke & Coal Chemicals Institute; American Composites Manufacturers Association; American Fiber Manufacturers Association; American Forest & Paper Association; American Foundry Society; American Frozen Food Institute; American Home Furnishings Alliance; American Loggers Council; American Municipal Power; American Petroleum Institute; American Sugar Cane League; American Wood Council.

Amerities Holdings LLC; Anthony Liftgates, Inc.; APA—The Engineered Wood Association; Appleton Papers Inc.; APUs by Rex, LLC; Archer Daniels Midland Company; ARIPPA; Arkansas Forestry Association; Arkansas State Chamber of Commerce; Associated Industries of Arkansas, Inc.; Associated Industries of Vermont; Association of American Railroads; Association of Independent Corrugated Converters; Atlantic Wood Industries, Inc.; Barge Forest Products Co.; Beet Sugar Development Foundation; Belden Brick Company; Belimed, Inc.; Bennett Lumber Company Berco, Inc.

Biomass One, LP; Biomass Power Association; Blue Bell Creameries; Blue Ridge Paper Products; Boise Cascade, LLC; Boise Inc.; Brick Industry Association; Business Council of Alabama; Business Roundtable; Cahaba Timber Co.; California Forestry Association; California League of Food Processors; California Metals Coalition; Canyon Creek Logging; Carolina Cotton Works, Inc.; Cement Kiln Recycling Coalition; Chaney Lumber Co., Inc.; Charles Ingram Lumber Co.; Coast Wood Preserving, Inc.; Coastal Plywood Company; Collins Pine Company.

Colorado Association of Commerce & Industry; Composite Panel Association; Construction Materials Recycling Association; Corn Refiners Association; Council of Industrial Boiler Owners; Cresote Council; Decker Energy International, Inc.; Dietz & Watson, Inc.; Domtar Corporation; Douglas County Forest Products; Eastman Chemical Company; Eaton Corporation; Electric Mills Wood Preserving; Empire State Forest Products Association; Evergreen Packaging; Fibrek; Finch Paper LLC; Flakeboard America; Flambeau River Papers; Florida Forestry Association.

Florida Pulp and Paper Association; Flower City Tissue Mills Co., Inc.; FMC Corporation; Forest Landowners Association; Forest Resources Association Inc.; Forging Industry Association; Fowler Post Co, Inc.; Fox River Fiber Company; Genesee Power Station LP; George A. Whiting Paper Company; Georgia Association of Manufacturers; Georgia Paper & Forest Products Association, Inc.; Georgia-Pacific LLC; Glatfelter; Glier's Meats, Inc.; Green Diamond Resources Company; H. W. Culp Lumber Co.; Hardwood Federation; Hardwood Manufacturers Association; Hardwood Plywood and Veneer Association.

Harrigan Lumber Co., Inc.; Hawaii Forest Industry Association; Hesse and Sons Dairy LLC; Hood Industries, Inc.; Idaho Forest Group; INDA, Association of the Nonwoven



Fabrics Industry; Indiana Hardwood Lumbermen's Association; Industrial Energy Consumers of America; Industrial Fastener Institute; Industrial Minerals Association—North America; Innovative Pine Technology Inc.; Interior; International Falls Chamber of Commerce (MN); International Paper; J.T. Fennell Company, Inc.; JELD-WEN, Inc.; Jordan Lumber & Supply, Inc.; Kansas City Power & Light; Kapstone Paper and Packaging Corporation; Kentucky Forest Industries Association.

Kercher Industries, Inc.; Kitchen Cabinet Manufacturers Association; Koppers Inc.; Lake States Lumber Association; Land O Lakes Wood Preserving Co.; Langdale Forest Products Co.; L'anse Warden Electric Company, LLC; Leggett & Platt, Incorporated; Longview Fibre Paper and Packaging, Inc.; Louis Dreyfus Agricultural Industries; Louisiana Farm Bureau Federation; Louisiana Pacific Corporation; Louisiana Pulp and Paper Association; LyondellBasell Industries; Maine Pulp & Paper Association; Manufacture Alabama; Manufacturers and Chemical Industry Council of North Carolina; Maple Flooring Manufacturers Association; Maxi-Seal Harness Systems, Inc.; McShan Lumber Company, Inc.

MeadWestvaco; Melrose Timber Company, Inc.; Metal Treating Institute; Metals Service Center Institute; Michigan Biomass; Michigan Forest Products Council; Minnesota Chamber of Commerce; Minnesota Forest Industries; Mission Plastics North; Mission Plastics of Arkansas; Mississippi Manufacturers Association; Missouri Forest Products Association; Motor & Equipment Manufacturers Association; Mount Vernon Mills, Inc.; Muscatine Foods Corporation; National Association for Surface Finishing; National Association of Manufacturers; National Association of Trailer Manufacturers; National Concrete Masonry Association; National Council of Farmer Cooperatives.

National Council of Textile Organizations; National Federation of Independent Business; National Lumber and Building Material Dealers Association; National Oilseed Processors Association; National Solid Wastes Management Association; National Spinning Company; NC Association of Professional Loggers, Inc.; Neenah Paper Inc.; Nevada Manufacturers Association; New Hampshire Timberland Owners Association; Nippon Paper Industries USA Co.; Nisus Corporation; NORA, An Association of Responsible Recyclers (formerly the National Oil Recyclers Association); North American Die Casting Association; North American Wholesale Lumber Association; North Carolina Chamber; North Carolina Forestry Association; Northwest Pulp and Paper Association; Ohio Chamber of Commerce; Ohio Forestry Association.

Ohio Manufacturers' Association; Ohio Municipal Electric Association; Ohio Willow Wood Company; OMNOVA Solutions, Inc.; Oregon Forest Industries Council; Owens-Illinois, Inc.; Pacific Wood Laminates; Packaging Corporation of America; Page & Hill Forest Products Inc.; Partnership for Affordable Clean Energy; Pellet Fuels Institute; Pennsylvania Business Council; Pennsylvania Chamber of Business and Industry; Pennsylvania Forest Products Association; Pennsylvania Manufacturers' Association; Peterson Mfg. Co.; Pile Driving Contractors; Association Piney Creek LP; Plum Creek; Port Townsend Paper Corporation.

Portland Cement Association; Possum Tree Farm; Potomac Supply Corporation; PPG Industries; Precision Machined Products Association; Precision Pulley & Idler; Prince Manufacturing Corporation; Railway Tie Association; Rex Lumber, LLC; Rhodia, Inc.; River Trading Company; Rock-Tenn Company; Rosboro LLC; Roseburg Forest

Products Company; ROW, INC.; Roy "O" Martin Lumber Company, LLC; Rubber Manufacturers Association; Rudd Company, Inc.; S.I. Storey Lumber Co., Inc.; Sage Automotive Interiors.

Sappi Fine Paper North America; Sauder Woodworking Co.; Scotch Plywood Company, Inc.; Seymour Manufacturing Co., Inc.; SierraPine Limited; Smith Street Mill; Society of Chemical Manufacturers and Affiliates; South Carolina Forestry Association; South Carolina Pulp and Paper Association (SCPPA); South Carolina Timber Producers Association; Southeast Wood; Southeastern Lumber Manufacturers Association; Southern Appalachian Multiple-Use Council; Southern Forest Products Association; Southern Pressure Treaters' Association; SP Newsprint Co.; States Industries, LLC; Steel Manufacturers Association; Stella-Jones Corporation; Streater Dependable Mfg. Co.

Sunbury Textile Mills, Inc.; Tegrant Corporation; Ten-Tec, Inc.; Tennessee Chamber of Commerce & Industry; Tennessee Forestry Association; Tennessee Paper Council; Texas Association of Manufacturers; Texas Forestry Association; Textile Rental Services Association; The Association for Hose & Accessories Distribution (NAHAD); The Business Council of New York State, Inc.; The Carpet and Rug Institute; The Dow Chemical Company; The International Association of Machinists and Aerospace Workers; The Oeser Company; The United Brotherhood of Carpenters and Joiners of America; Thilmany Papers; Thomasson Company; Thompson Industries, Inc.; Timber Products Company.

TMA; Tolleson Lumber Company; Tradewinds International Inc.; Treated Wood Council; Tri-State Generation and Transmission Association; TrueGuard—wood preservation; U.S. Beet Sugar Association; U.S. Chamber of Commerce; Uniboard USA LLC; Unifi Manufacturing Inc.; USA Rice Federation; Vector Tool and Engineering; Verso Paper Corp.; Virginia Chamber of Commerce; Virginia Forest Products Association; Virginia Forestry Association; Virginia Manufacturers Association; Washington Contract Loggers Association, Inc.; Water Treatment Services Inc.; Wausau Paper; Webb Consultants, Inc.; WEBB Furniture Enterprises Corp.; The Westervelt Company; Weyerhaeuser Company; Window and Door Manufacturers Association; Wisconsin Manufacturers & Commerce; Wisconsin Paper Council; Wood Machinery Manufacturers of America.

[From the Wall Street Journal, Sept. 6, 2011]

#### ANOTHER EPA RULE COMES UNDER ATTACK

Just ahead of President Barack Obama's big jobs speech, the American Forest & Paper Association says a pending environmental rule could cost 20,500 jobs or 18% of the industry's workforce.

In a study to be released Wednesday, the group is taking aim at an Environmental Protection Agency rule to cut pollution from factory boilers, saying the regulation will cause 36 U.S. paper and pulp mills to close. The study comes on the heels of a decision by Mr. Obama to jettison another EPA air quality rule related to ozone that industry complained would kill millions of jobs.

The so-called boiler rule has come under sharp attack from both Republican and Democratic lawmakers, as well as industry, which say the regulations would be too costly and difficult to implement. House Majority Leader Eric Cantor included the rule in his list of 10 "job-destroying regulations" that he has vowed to fight.

The boiler rule would affect paper mills, refineries, chemical factories and other facilities that use boilers, such as universities,

hospitals and apartment buildings. Boilers are on-site generators that can provide energy for facilities and factories. Bipartisan legislation is now pending in the House and Senate to delay implementation of the rule, with the aim of having EPA reconsider the regulation.

The AF&PA study, conducted by Fisher International, looked at how many mills would be in danger of closing if they had to comply with the new air quality regulations and install new pollution controls. The study found 36 mills would have to close, impacting 18% of the industry's workforce.

Supporters of the rule say the benefits far outweigh the costs and counter job loss claims by saying the new controls being required could provide an economic boost.

"Industry is trying to leverage fears about the economic impact and jobs and ignoring that pollution controls are made and installed here in the U.S.," said Paul G. Billings, vice president of national policy and advocacy for the American Lung Association.

Gina McCarthy, a top EPA official, is expected to testify Thursday before a U.S. House subcommittee about the rule. The agency, which has touted the health benefits of the rule, has delayed issuing final regulations, saying it needs more time for public input. That's frustrated environmental and public-health groups, which say the rules would save lives and help avoid thousands of heart and asthma attacks.

John Walke, clean air director at the Natural Resources Defense Council, said the boiler rule is critical because it will cut mercury and other toxic air emissions from incinerators and boilers at industrial facilities. "The the reason it's important is those sectors are one of only a handful that still have not had lawful toxic emission standards adopted for them under the 1990 clean air act amendments," he said.

Donna Harman, president and CEO of AF&PA, said the rule will hurt an already hard-hit sector and said lawmakers and regulators should give the industry more time and impose a less stringent standard.

"We're not asking to not be regulated. We're asking to have a regulation that can be achieved based on the technology that's currently available," she said.

THE NATIONAL FOUNDATION OF  
INDEPENDENT BUSINESS,

Washington, DC, September 8, 2011.

Hon. SUSAN COLLINS,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR COLLINS: The National Federation of Independent Business is pleased to support the Regulatory Time-Out Act. This legislation provides small business owners—who create roughly two-thirds of the net new jobs in America—with relief from burdensome regulations for a period of one year.

The bill would impose a one-year moratorium on "significant" new rules—those with a cost of \$100 million or more—from going into effect if those rules would have an adverse impact on jobs, the economy, or America's international competitiveness. These particular rules generally come with considerable uncertainty, which inhibits small businesses from making decisions that would help the economy grow.

A recent study released by the U.S. Small Business Administration showed that the cost of regulatory compliance for the smallest businesses is 36 percent more than their larger counterparts. The study estimates the cost of compliance for small businesses to be \$10,585 per employee per year. Small businesses desperately need the help of Congress to cut red tape.

Importantly, the Regulatory Time-Out Act would not prevent important rules that address imminent threats to human health or



safety or other emergencies, or that apply to the criminal justice system, military or foreign affairs. Nor would the legislation prevent rules which foster private sector job creation and the enhancement of the competitiveness of the American worker, or which otherwise reduce the regulatory burden.

The Regulatory Time-Out Act that you have introduced is a prudent step toward providing small business owners with the certainty they need to create jobs for Americans. NFIB looks forward to working with you to help ensure that this important legislation becomes law.

Sincerely,

SUSAN ECKERLY,  
Senior Vice President, Public Policy.

SMALL BUSINESS &  
ENTREPRENEURSHIP COUNCIL,  
Oakton, VA, September 8, 2011.

Hon. SUSAN COLLINS,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the 100,000 members of the Small Business & Entrepreneurship Council (SBE Council), I offer our strong support for "The Regulatory 'Time-Out' Act." Given the severe fragility of the economy and dismal job growth, placing a one-year moratorium on "economically significant" rules is a commonsense strategy. Even in better economic times, our economy and its competitiveness would suffer under a regulatory onslaught of the current order. Something must be done to counter the untamed and intrusive rule-making coming out of Washington. The "Time-Out Act" is an approach that should warrant bipartisan support.

The torrent of new regulations being proposed by federal agencies is generating significant uncertainty among our nation's small business owners. Furthermore, once finalized, these regulations will impose a substantial burden on entrepreneurs, exacerbating existing financial pressures that are a result of weak sales and higher business costs.

The number of "major" regulations issued last year is unprecedented. Those costing the economy \$100 million or more number 224—an increase of 22 percent over 2009 and the highest number on record. Many of these directly and indirectly impact small business. Quite simply, our economy and small businesses cannot absorb any more costs. As you well know, the disproportionate cost of regulation places a heavy burden on small firms. The "Regulatory 'Time-Out' Act" will help steady the rough economic and policy environment that has so badly shaken entrepreneurs.

The "Time-Out" act provides consideration for rules that address emergencies and imminent threats to human health and safety, as well as those that would enhance the environment for job creation, worker competitiveness or those that reduce the regulatory burden. No one can label this legislation as anything but smart, practical and essential.

Senator Collins, SBE Council appreciates your leadership. Please let us know what we can do to help advance the "Regulatory 'Time-Out' Act" into law.

Sincerely,

KAREN KERRIGAN,  
President & CEO.

[From CHAMBERPOST, Sept. 8, 2011]  
U.S. CHAMBER WELCOMES SEN. COLLINS'  
PROPOSED REGULATORY TIME-OUT BILL  
(By Tom Collamore)

The U.S. Chamber welcomes Senator Susan Collins' proposed legislation requiring a reg-

ulatory "time-out." American businesses have been overwhelmed by the recent onslaught of burdensome and job-killing regulations. With another 4,257 regulations in the pipeline, American businesses need immediate relief. A time-out would allow both the regulators and the regulated to take a deep breath and ensure that regulations are not destroying jobs and economic growth.

A regulatory "time-out" is one important step in stemming the tidal wave of new regulations. Reforming the regulatory process itself is another. Congress must bring fundamental reform to the rulemaking process, some elements of which have not been modernized in 65 years. We need permanent reforms to the administrative process to ensure regulations are narrowly tailored and impose the least amount of regulatory burden needed to achieve congressional intent, are based on quality data, and will not impede job creation and growth. Reforms must also encourage Congress to exercise its essential oversight over federal agencies to ensure they are carrying out its intent.

We applaud Senator Collins for focusing on one of the most important economic issues facing our economy—overregulation—and look forward to working with her on her regulatory time-out legislation.

By Mr. AKAKA:

S. 1543. A bill to amend chapters 83 and 84 of title 5, United States Code, to address retirement for Pentagon Force Protection Agency officers; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today I am introducing the Retirement Equity for Pentagon Police Heroes Act, a bill to place Pentagon Police on par with Federal law enforcement officers government wide.

As we remember the tragic events of September 11, 2001, and the bravery of those who rushed into burning buildings as most ran away, it is particularly fitting to recognize the bravery of Pentagon Force Protection Agency Officers with this legislation.

Ten years ago, unthinkable acts of terrorism were perpetrated against America, resulting in the loss of thousands of innocent lives at the World Trade Center in New York, the Pentagon in Virginia, and the final landing site of flight 93 in Pennsylvania. The men and women of the Pentagon Force Protection Agency were among the first to respond in the chaotic minutes after flight 77 crashed into the Pentagon.

On the morning of September 11, Isaac Ho'opi'i, a Pentagon Police officer from my home state of Hawaii, rushed into the Pentagon and carried eight people out of the rubble, many of whom were badly burned. Many others made it out of the Pentagon thanks to Mr. Ho'opi'i, who became known as "the voice," because survivors remember him calling out for those lost in the smoke and debris to crawl towards the sound of his voice. In 2002, Mr. Ho'opi'i was awarded a Medal of Valor for his bravery and quick thinking on that fateful day.

Threats to the Pentagon continue to mount in the time since 9/11. Just last year, an armed gunman stormed the Pentagon, shooting at officers while at-

tempting to enter the building. Officers Jeffery Amos and Marvin Carraway, Jr. were wounded during the shootout, but managed to neutralize the perpetrator, ensuring that no other officers or bystanders were harmed in the process.

Despite their heroic actions and the dangerous nature of their job, Pentagon Police officers do not accrue retirement benefits at the same rate as Federal law enforcement officers. This bill would add Pentagon Police to the list of employees under the Civil Service Retirement System and Federal Employees' Retirement System who make larger retirement contributions than most Federal employees, and accrue retirement benefits at an enhanced rate. The higher accrual rate is an important recognition that police work is dangerous and physically demanding, so law enforcement officers are required to retire earlier than others.

The time has come to recognize the courage of these brave men and women who everyday protect thousands of military personnel and civilians at the Pentagon.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1543

*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 "Retirement Equity for Pentagon Police Heroes Act of 2011".

**SEC. 2. PENTAGON FORCE PROTECTION AGENCY.**

(a) AMENDMENTS RELATING TO THE CIVIL SERVICE RETIREMENT SYSTEM.—

(1) DEFINITIONS.—

(A) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8331 of title 5 United States Code is amended—

(i) in paragraph (30), by striking "and" at the end;

(ii) in paragraph (31), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

“(32) ‘Pentagon Force Protection Agency officer’ means an employee appointed to perform law enforcement and security functions under section 2674(b) of title 10 whose permanent duty station is the Pentagon Reservation and who occupies a position in job series 0083, or any successor position, for which the rate of basic pay is fixed in accordance with paragraph (2) of such section.”.

(2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.—Section 8334 of title 5, United States Code, is amended—

(A) in subsection (a)(1)(A), by striking "or customs and border protection officer," and inserting "customs and border protection officer, or Pentagon Force Protection Agency officer,"; and

(B) in the table contained in subsection (c), by adding at the end the following:

“Pentagon Force Protection Agency officer	7.5	After the date of enactment of the Pentagon Force Protection Agency Retirement Act of 2011.”.
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(3) MANDATORY SEPARATION.—Section 8835(b)(1) of title 5, United States Code, is amended in the first sentence by striking "or customs and border protection officer" and

inserting “customs and border protection officer, or Pentagon Force Protection Agency officer”.

(4) IMMEDIATE RETIREMENT.—Section 8336 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking “or customs and border protection officer” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer”;

(B) in subsections (m) and (n), by striking “or as a customs and border protection officer,” and inserting “as a customs and border protection officer, or as a Pentagon Force Protection Agency officer,”.

(b) AMENDMENTS RELATING TO THE FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

(1) DEFINITIONS.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (35), by striking “and” at the end;

(B) in paragraph (36), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(37) ‘Pentagon Force Protection Agency officer’ means an employee appointed to perform law enforcement and security functions under section 2674(b) of title 10 whose permanent duty station is the Pentagon Reservation and who occupies a position in job series 0083, or any successor position, for which the rate of basic pay is fixed in accordance with paragraph (2) of such section.’”.

(2) IMMEDIATE RETIREMENT.—Paragraphs (1) and (2) of section 8412(d) of title 5, United States Code, are amended by striking “or customs and border protection officer,” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer,”.

(3) COMPUTATION OF BASIC ANNUITY.—Section 8415(h)(2) of title 5, United States Code, is amended by striking “or customs and border protection officer” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer.”.

(4) DEDUCTIONS FROM PAY.—The table contained in section 8422(a)(3) of title 5, United States Code, is amended by adding at the end the following:

“Pentagon Force Protection Agency officer	7.5	After the date of enactment of the Pentagon Force Protection Agency Retirement Act of 2011.”.
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(5) GOVERNMENT CONTRIBUTIONS.—Paragraphs (1)(B)(i) and (3) of section 8423(a) of title 5, United States Code, are amended by inserting “Pentagon Force Protection Agency officers,” after “customs and border protection officers,” each place it appears.

(6) MANDATORY SEPARATION.—Section 8425(b)(1) of title 5, United States Code, is amended—

(A) by striking “or customs and border protection officers who” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officers who”;

(B) by striking “or customs and border protection officer as the case” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer, as the case”.

(c) MAXIMUM AGE FOR ORIGINAL APPOINTMENT.—Section 3307 of title 5, United States Code, is amended by adding at the end the following:

“(h) The Secretary of Defense may determine and fix the maximum age limit for an original appointment to a position as a Pentagon Force Protection Agency officer, as defined by section 8401(37).”.

(d) REGULATIONS.—Any regulations necessary to carry out the amendments made by this section shall be prescribed by the Director of the Office of Personnel Management, in consultation with the Secretary of Defense.

(e) EFFECTIVE DATE; TRANSITION RULES.—

(1) EFFECTIVE DATE.—The amendments made by this section shall become effective on the first day of the first pay period beginning at least 6 months after the date of the enactment of this Act.

(2) TRANSITION RULES.—

(A) NONAPPLICABILITY OF MANDATORY SEPARATION PROVISIONS TO CERTAIN INDIVIDUALS.—The amendments made by subsections (a)(3) and (b)(6), respectively, shall not apply to an individual first appointed as a Pentagon Force Protection Agency officer before the effective date under paragraph (1).

(B) TREATMENT OF PRIOR PENTAGON FORCE PROTECTION AGENCY OFFICER SERVICE.—Nothing in this section or any amendment made by this section shall be considered to apply with respect to any service performed as a Pentagon Force Protection Agency officer before the effective date under paragraph (1).

(C) MINIMUM ANNUITY AMOUNT.—The annuity of an individual serving as a Pentagon Force Protection Agency officer on the effective date under paragraph (1) pursuant to an appointment made before that date shall, to the extent that its computation is based on service rendered as a Pentagon Force Protection Agency officer on or after that date, be at least equal to the amount that would be payable—

(i) to the extent that such service is subject to the Civil Service Retirement System, by applying section 8339(d) of title 5, United States Code, with respect to such service; and

(ii) to the extent that such service is subject to the Federal Employees’ Retirement System, by applying section 8415(d) of title 5, United States Code, with respect to such service.

(D) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (c) shall be considered to apply with respect to any appointment made before the effective date under paragraph (1).

(3) DEFINITION.—For purposes of this subsection, the term “Pentagon Force Protection Agency officer” has the meaning given such term by section 8331(32) or 8401(37) of title 5, United States Code (as amended by this Act).

(4) EXCLUSION.—Nothing in this Act or any amendment made by this Act shall be considered to afford any election or to otherwise apply with respect to any individual who, as of the day before the date of the enactment of this Act—

(A) holds a position within the Pentagon Force Protection Agency; and

(B) is considered a law enforcement officer for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, by virtue of such position.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 12, 2011, at 4 p.m., in room 215 of the Dirksen Senate Office Building.

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

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

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

#### ORDERS FOR TUESDAY, SEPTEMBER 13, 2011

Mr. CONRAD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, September 13; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to H.J. Res 66, the joint resolution regarding Burma sanctions and the expected legislative vehicle for additional FEMA funds; further, that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings; finally, that if cloture is invoked on the motion to proceed to H.J. Res. 66, all time during adjournment, morning business, and recess count postcloture and, if cloture is not invoked, a motion to reconsider be considered entered.

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

#### ORDER FOR ADJOURNMENT

Mr. CONRAD. Mr. President, if there is no business to come before the Senate, I ask unanimous consent that it adjourn under the previous order at the conclusion of the cloture vote on the motion to proceed to H.J. Res. 66.

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

Mr. CONRAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003—MOTION TO PROCEED—Continued

##### CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 154, H.J. Res. 66,

a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.J. Res. 66, an act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from

Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 33, as follows:

[Rollcall Vote No. 131 Leg.]

YEAS—53

Akaka	Feinstein	Merkley
Baucus	Franken	Mikulski
Begich	Gillibrand	Murray
Bennet	Hagan	Nelson (NE)
Bingaman	Harkin	Nelson (FL)
Blumenthal	Heller	Pryor
Blunt	Inouye	Reed
Boxer	Johnson (SD)	Reid
Brown (MA)	Kerry	Schumer
Brown (OH)	Klobuchar	Shaheen
Cantwell	Kohl	Snowe
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Coats	Levin	Udall (NM)
Collins	Lieberman	Warner
Conrad	Manchin	Webb
Coons	McCaskill	Whitehouse
Durbin	Menendez	

NAYS—33

Alexander	Barrasso	Burr
Ayotte	Boozman	Chambliss

Coburn	Isakson	Paul
Cochran	Johanns	Portman
Corker	Johnson (WI)	Risch
Cornyn	Kyl	Roberts
Crapo	Lee	Sessions
Enzi	Lugar	Shelby
Graham	McCain	Thune
Grassley	McConnell	Toomey
Hatch	Moran	Wicker

NOT VOTING—14

Casey	Kirk	Sanders
DeMint	Landrieu	Stabenow
Hoeven	Murkowski	Vitter
Hutchison	Rockefeller	Wyden
Inhofe	Rubio	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 33. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, a motion to reconsider is entered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 5:58 p.m., adjourned until Tuesday, September 13, 2011, at 10 a.m.