Mr. REID. Mr. President, we have tried for days now to change what the Republicans in the House have tried to do to the American people. In fact, it appears they are going to be able to do it. We have the extension of the Federal Aviation Administration legislation that is being held up. We wanted a temporary extension for the next few weeks. We have already extended it more than 20 times. We thought we should do it again. We have done that. That has been routine until we get some of the big issues worked out. But Republicans wanted to increase the ransom we are asking for an extension of the FAA bill. I am not going to ask consent today; we have asked it many times. But I want the RECORD to be spread with how unreasonable it is, what the Republicans have done. As a result of their activities, the House Republicans, we have 80,000 people who will not be working now--80,000 people, more than 70,000 construction workers and thousands of people who are employees of the Federal Aviation Administration.

For example, in Nevada we have an air traffic control tower, a new one that needs to be built. It is going to be big, expensive, and necessary. The work has stopped. They worked there for less than a month. The work has stopped. The construction work has stopped.

I talked to the Senator from California, Senator BOXER, today. In Palm Springs they have one that is essential, is badly needed. Work has stopped on that.

Construction projects all over America are held up at our airports. It is so unreasonable what they have done. I appreciate KAY BAILEY HUTCHISON, the Republican Senator from Texas, who has worked with the chairman of the committee, JAY ROCKEFELLER, to try to work past this. She agrees with Senator ROCKEFELLER it is unreasonable that they have done this.

What I want to do is read a column out of the New York Times of July 29. The writer introduces his column by saying:

The facts of the crisis over the debt ceiling aren't complicated. Republicans have, in effect, taken America hostage, threatening to undermine the economy and disrupt the essential business of government unless they get policy concessions they would never have been able to enact through legislation.

That is where we are with the FAA problem. He goes on to say:

As I said, it's not complicated. Yet many people in the news media apparently can't bring themselves to acknowledge this simple reality. News reports portray the parties as equally intransigent; pundits fantasize about some kind of "centrist" uprising, as if the problem was too much partisanship on both sides. Some of us have long complained about the cult of "balance," the insistence on portraying both parties as equally wrong and equally at fault on any issue, never mind the facts. I joked long ago that if one party declared that the earth was flat, the headlines would read "Views Differ on Shape of Planet." But would that cult still rule in a situation as stark as the one we now face, in which one party is clearly engaged in blackmail?

He went on to say more and then he said:

The answer, it turns out, is yes. And this is no laughing matter: The cult of balance has played an important role in bringing us to the edge of disaster. For when reporting on political disputes always implies that both sides are to blame, there is no penalty for extremism. Voters won't punish you for outrageous behavior if all they ever hear is that both sides are at fault.

Mr. President, I wish the press would report this outrageous conduct on the part of the House Republicans, in effect closing down work for 80,000 people in America because of their trying to eliminate essential air service.

The issue is certainly more than that. We know it is a labor issue. We have one airline that is terribly anti-union and they are the ones behind all this. They are using the essential air service as a guise to get what they want.

I am not going to ask consent, but I want the American people to know why essential air service is being attacked
and why 80,000 people are basically today not going to be able to go to work tomorrow.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, September 6, 2011, at 5 p.m., the Senate proceed to Executive Session to consider Calendar No. 109; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of that time the Senate proceed to vote with no intervening action or debate on Calendar No. 109, the motions to reconsider be laid upon the table, with no intervening action or debate; that any related statements be printed in the Record; that the President be immediately notified of the Senate’s action and the Senate resume legislative session.

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

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the following Environment and Public Works bills, en bloc: Calendar No. 72, S. 710; and Calendar No. 117, S. 1302. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. It is my understanding that the unanimous consent for the Senate to proceed to the consideration of those two bills, is that right?

The PRESIDING OFFICER. That is correct.

Mr. REID. I ask unanimous consent that the bills be taken up a third time and passed, en bloc; the motions to reconsider be laid upon the table, with any relevant statements be printed in the Record. The PRESIDING OFFICER. Without objection, it is so ordered.

HAZARDOUS WASTE ELECTRONIC MANIFEST ESTABLISHMENT ACT

The bill (S. 710) to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 710
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 “Hazardous Waste Electronic Manifest Establishment Act”.

SEC. 2. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(a) In General.—Subtitle C of the Solid Waste Disposal Act (82 U.S.C. 6921 et seq.) is amended by adding at the end the following:

(3) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(1) DEFINITIONS.—In this section:

(A) BOARD.—The term ‘Board’ means the Hazardous Waste Electronic Manifest Establishment Act.

(B) ADJUSTMENTS IN FEE AMOUNT.—

(i) IN GENERAL.—The Administrator, in consultation with the Board, shall adjust the fee structure described in subsection (a) to reflect any increase in the cost of providing service fees or other amounts in the Fund.

(ii) REFUND OF PRORATED PAYMENTS.—The Administrator may promulgate to require such a refund to be calculated by prorating the fee payments for the period before the date on which the system enters operation.

(c) USER FEES.—

(1) IN GENERAL.—The Administrator may impose on users such reasonable service fees as the Administrator determines to be necessary to cover the full cost to the Administrator of providing system-related services, including costs relating to—

(i) materials and supplies;

(ii) contracting and consulting;

(iii) overhead;

(iv) information technology (including costs of hardware, software, and related services);

(v) information management;

(vi) collection of service fees;

(vii) investment of any unused service fees;

(viii) reporting and accounting;

(ix) employment of direct and indirect Government personnel dedicated to establishing and maintaining the system; and

(x) project management.

(f) FUND.

(1) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a hazardous waste electronic manifest system that may be used by any user.

(c) COLLECTION OF FEES.—The Administrator shall—

(1) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

(2) deposit the fees in the Fund for use in accordance with such regulations as the Administrator may promulgate to require such a submission.

(1) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a hazardous waste electronic manifest system that may be used by any user.

(c) COLLECTION OF FEES.—The Administrator shall—

(1) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

(2) deposit the fees in the Fund for use in accordance with such regulations as the Administrator may promulgate to require such a submission.

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

THE LEAHY-SMITH AMERICA INVENTS ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 87, H.R. 1249.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read the motion to proceed to the bill (H.R. 1249) to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system to be engrossed for a third reading, as the motion, and passed, as follows:

H. R. 1249
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 “Leahy-Smith America Invents Act”.

SEC. 2. STANDING RULES OF THE SENATE TO BE MODIFIED.

The Standing Rules of the Senate, hereby move with the provisions of rule XXII of the Senate, that any related statements be printed in the Record; that on Tuesday, September 6, following the disposition of the nomination of Bernice Boule Donald and the resumption of the legislative session, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to Calendar No. 72, H.R. 1249; further, that the mandatory quorum under rule XXII be waived.

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

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed