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Senate

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

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

Let us pray.

O God, our defender, we call to You in prayer. Our Nation cannot prosper without Your watch care and Your gracious providence. For Your loving kindness and tender mercies, we praise Your Name.

As our Senators grapple with the complex challenges of our time, be for them a shepherd who leads and guides. Lead them to live with a generous spirit that comes from a confidence in Your abiding presence. May they walk in the path of gratitude, meditating on Your words and glorifying Your Name. Thank You for being our refuge and defense. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 19, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. BLUMENTHAL 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. During that period of time Senators will be allowed to speak for up to 10 minutes each. Following morning business, the Senate will resume consideration of H.R. 2832, which is the trade assistance legislation as tied in with the GSP bill.

At 5:30 there will be a cloture vote on the motion to proceed. We hope to get consent to begin consideration of the bill after the vote.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended until 4:45 p.m. today so that Senators can speak regarding the tributes they wish to make to former Senator Charles Percy of Illinois.

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

RENO AIRSHOW TRAGEDY

Mr. REID. Mr. President, I was saddened to hear of the terrible accident on Friday at the Reno airshow, which killed 10 people and injured many more. I just received word an hour or two ago that another person has died in the hospital. My heart goes out to those who were hurt, and my thoughts are with the families of those who lost their lives when the pilot of a World War II airplane crashed into spectators.

I commend the many first responders who rushed to the scene Friday. Their quick thinking and skillful assistance saved lives. While this crash was devastating—and it was—it is fortunate and I am glad the pilot took quick action to avoid additional loss of life by avoiding a grandstand packed with thousands of spectators.

My four grandchildren and my son attended the show on Thursday. My oldest grandson Mitchell was at the event with a Scout Troop on Friday, just hours before this terrible accident. Although officials are investigating the crash, initial reports indicate that a piece of the plane's tail broke off prior to the accident.

I hope this terrible event, the first of its kind in this Nation, will not deter people from attending airshows in the future. Thousands of people enjoy these shows every year. The late Senator Ted Stevens attended this show many times and told me it was the best of its kind. I will continue to monitor the investigation, of course.

REMEMBERING SENATOR CHARLES PERCY

Mr. REID. Mr. President, this weekend Senator Charles Percy of Illinois, the progressive Republican and father-in-law of Senator JAY ROCKEFELLER, died at age 91. He had been failing for some time, and I maintained contact with Senator ROCKEFELLER about his wife's father. I didn't know Senator Percy—only by reputation. But I do know he was an independent thinker and a moderate who always put his country before party. The Senate could use more of his brand of pragmatism today.

Senator Percy was a proponent of tough environmental regulations and

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

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consumer protections and was an outspoken opponent of the Vietnam war and a proponent of nuclear nonproliferation. He was also a Navy veteran and businessman who was often mentioned as a Presidential contender.

This body, the Senate, honors him for his faithful service to his country as a sailor and as a Member of Congress. My thoughts are with his family, including Senator ROCKEFELLER and his lovely wife Sharon.

REDUCING THE BUDGET DEFICIT

Mr. REID. Mr. President, today President Obama laid out a commonsense plan to substantially reduce the budget deficit. I congratulate President Obama for his vision. Last week he presented the country with a roadmap to reduce our jobs deficit, a proposal to create nearly 2 million jobs and reduce unemployment by a percentage point. Today he has also offered a pathway to reduce our budget deficit—not only the jobs deficit but a budget deficit. It is a concrete strategy to cut the deficit by more than $4 trillion over the next decade and to do it fairly.

The plan calls for shared sacrifice for all Americans, including those who can best afford to help. It calls on those who have benefited from the tax policies that sunk this country deeper and deeper into debt to help get us out of this debt.

Americans know shared sacrifice is the best path to fiscal sustainability. All the polls indicate that Republicans believe that, Democrats believe that, and Independents believe that. They believe many of the richest few should pay more, and one of the richest of all of them, Warren Buffett, agrees. That is why the President has proposed the so-called Buffett rule, that no American making more than $1 million a year should pay a lower tax than this Nation's middle class.

This would apply to the top three-tenths of 1 percent—that is all, a small group of Americans—but they are the richest of the rich just like Mr. Buffett. Warren Buffett believes it is unfair that he pays a lower income tax than his secretary. This is what he said:

> If you're in the luckiest 1 percent of humanity, you owe it to the rest of humanity to think about the other 99 percent.

Actually, it is more than 99 percent; it is 99.7 percent. There are about 22,000 people in this country who make more than $1 million a year—this is net income—yet paid less than 15 percent of income in taxes. The top 400 earners in this country, all of whom make more than $110 million a year, pay a small percentage of their income in taxes. They pay a smaller share than plumbers and teachers and factory workers. More than anyone else these millionaires and billionaires benefit from these tax cuts that contributed $3 trillion to our deficit. They helped plunge this Nation into a financial hole. Yet congressional Republicans believe the middle class and seniors, not the millionaires and billionaires who enjoyed trillions in tax breaks, should bear the burden of getting us out of that hole.

A balanced approach to reducing the deficit means those who benefited the most from policies that created our deficit should also help solve the deficit crisis we have. A balanced approach means everyone pays his or her fair share. It means middle-class seniors and those who can least afford it will not bear the heaviest burden. So I commend President Obama for insisting on basic fairness as we address our deficit problem.

TRADE ADJUSTMENT ASSISTANCE

Mr. REID. Mr. President, last week was a productive one in the Senate. We reached a bipartisan agreement to pass emergency aid for communities affected by devastating floods, tornadoes, and wildfires. We also reauthorized the Federal Aviation Administration, keeping 80,000 safety inspectors and construction workers on the job. We passed a highway bill keeping 1.8 million people at work building bridges and highways.

Congress has no duty more pressing than putting people back to work, and this highway legislation will do just that. But we can and must do more. That is why this week the Senate will take up the trade adjustment assistance legislation. The TAA Program helps U.S. workers who lose their jobs because of international trade to learn new skills so they can reenter a changing workforce, and it helps them pay for health insurance while they are training for new jobs.

A global economy means fierce global competition. Unless our workforce is flexible and well-trained, we cannot hope to compete.

Between 2001 and 2008, Americans lost 2.4 million jobs because of trade with China. The Trade Adjustment Assistance Program is retraining many of these people, getting them back to work and into the workforce and boosting our economy at the same time. It is unfortunate that my Republican colleagues who say they care so much about free trade have prevented three such agreements from moving forward because of objections to this trade adjustment assistance legislation.

We have known for a long time we were going to move to this trade adjustment assistance. It is unthinkable that the Republicans would stop us from doing that, and that is just what happened. As we struggle to rebound from the worst recession in generations, it is unthinkable that we would abandon hard-working Americans who lost their jobs through no fault of their own.

The trade adjustment assistance legislation provides a lifeline they need to get back on their feet.

Mr. President, would 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 4:45, 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.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, and to speak for up to 15 minutes.

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

HONORING OUR ARMED FORCES

Mr. BOOZMAN. Mr. President, in the decade that has passed since the devastating attacks of 9/11, we have seen enormous changes in our daily lives. For many of us, these changes have become routine. We have become more alert to potential suspicious activities, accustomed to additional screening procedures at airports, and understand the need for additional security precautions in places that could be seen as potential targets for terrorists. For many other Americans, though, their lives were altered in ways that are anything but routine. These are the families, friends, and brothers in arms of those who have given their lives in the global war on terror, including the over 3,000 lives taken in the horrific attacks on our Nation on September 11, 2001.

This past Sunday was a somber day to reflect, remember, and honor the lives that have been cut short by terror. On Sunday morning, I spoke at my church about the impact 9/11 had on me personally and us collectively as a nation. It is important to take the time in the Senate Chamber to remember these brave heroes. We all remember where we were at the time the planes struck the towers and the awful feeling when we realized this was not an accident. We remember the emotional outpouring our Nation shared and how the tragedy brought us all closer together. What happened after the moments of devastation on September 11, 2001, unified our Nation and demonstrated the perseverance and the will of the American people.

We remember the people who refused to leave an injured coworker and those who led others to safety. We remember the firefighters, the policemen, and all the first responders who saved lives that day, many of whom gave their

lives in doing so. We remember the heroes at the World Trade Center, the Pentagon, and the brave passengers of Flight 93. We also remember all the brave service men and women who fought and continue to fight to keep us free. They do so by choice. They do so out of love of country, and they do so to protect our Nation, our freedom, and our values.

Since the 9/11 attacks, thousands of Arkansans have been deployed to far regions of the globe to fight terrorism. The Arkansas National Guard, which has historically been a reserve unit, has taken on a more active-duty role in the war on terror. Units from the Arkansas National Guard have played a vital role in the war on terror with deployments to Afghanistan and Iraq, and some units having served multiple tours on the battlefront. American's military personnel and veterans of the global war on terror can be proud of all they have accomplished. Their continued efforts brought Osama bin Laden, the mastermind behind these attacks, to justice, along with a number of his top lieutenants and numerous Taliban commanders. They continue to battle bin Laden's fanatical followers and protect us from those who remain committed to inflicting harm on the United States.

Many of the veterans from the global war on terror have returned home with permanent, life-altering injuries. We have worked hard in this body and in the House to ensure that they and all the veterans of this war receive all the care and benefits they have earned and deserve upon their return. We must continue to uphold our promise to our veterans. We must also continue to ensure that our military personnel on the battlefield have everything they need to successfully accomplish the mission and to return home safely.

According to the U.S. Central Command, more than 6,200 servicemembers have made the ultimate sacrifice for our freedoms in Operations Iraqi Freedom and Enduring Freedom. Each one is a portrait of bravery. Navy Corpsman Michael Vann Johnson, Jr., a native of Little Rock, was the first Arkansan killed on the battlefield in the global war on terror. He was killed by selflessly tending to wounded colleagues in Iraq. Since his death, another 101 Arkansans have given their lives for our country in the conflicts in Afghanistan and Iraq. This year alone, we have lost five servicemembers from Arkansas.

At the beginning of the year, SGT Ethan C. Hardin was killed in action in the Logar Province of Afghanistan. He was killed when insurgents attacked his unit with an improvised explosive device. Sergeant Hardin was 25 at the time of his death. Sergeant Hardin grew up in Fayetteville, AR, and was remembered by his high school principal as a young man with a ''pleasant, likable, gentle personality.'' His pastor echoed those thoughts, calling Sergeant Hardin a ''warrior'' who was motivated to take up arms for his country not out of any hostilities toward the enemy but, rather, out of a strong desire to keep our country safe.

Less than a week after the death of Sergeant Hardin, SGT Zainah C. Creamer was killed in the Kandahar Province of Afghanistan when insurgents attacked her unit with an IED. Sergeant Creamer was born in Texarkana, TX, and graduated from Arkansas High School in Texarkana, AR. She was 28 at the time of her death. Sergeant Creamer's friends and family say they will remember her lovely singing voice and her love of country, friends, family, and fellow soldiers, including her K–9 partner Jofa. A soldier for more than 6 years, Sergeant Creamer was assigned to the 212th Military Police Detachment as an Army dog handler. She and her K–9 partner were assigned to check vehicles and facilities for explosives and were carrying out a routine clearance mission when the blast occurred.

In March, another IED attack in the Kandahar Province once again impacted Arkansas. Army CPL Loren Buffalo of Mountain Pine, AR, was only 20 years old when insurgents took his life. Corporal Buffalo was carrying on the family tradition of military service. His father and his uncle served in the Army and his great-grandfather was a B–17 bomber pilot during World War II. His father says Corporal Buffalo was a dedicated military man who loved music, liked to hunt and ride horses.

Last month, two Arkansans were among the 30 U.S. servicemembers killed when their Chinook helicopter was shot down in the Wardak Province of Afghanistan. The Taliban claim responsibility for the attack, which resulted in one of the greatest losses of U.S. military lives in a single incident in the decade-long war in Afghanistan. Most of those killed in the attack were U.S. Special Forces personnel.

Navy Special Warfare Operator Senior Chief Petty Officer Thomas A. Ratzlaff of Green Forest, AR, was one of those Special Forces officers killed in the attack. Senior Chief Ratzlaff graduated from Green Forest High School in 1995 and immediately enlisted in the Navy to begin the process of achieving his lifelong dream of becoming a Navy SEAL. According to the Green Forest mayor Charlie Reece, Senior Chief Ratzlaff developed a reputation as one of the most highly decorated officers in his elite unit, but humbly remained grounded. The mayor called him a ''high-class young man.'' Senior Chief Ratzlaff was 34 at the time of his death.

Air Force Tech SGT John W. Brown of Siloam Springs, AR, was also killed in that attack. An accomplished athlete in his youth, Sergeant Brown played football and basketball. He went to John Brown University on a swimming scholarship. In Siloam Springs, he was known for his positive attitude, his intelligence, and his sense of humor. After seeing a video of a special operations unit, he abandoned plans to become a nurse anesthetist and enlisted in the Air Force where he was assigned to the elite 24th Special Tactics Squadron at Pope Field, NC. He was 33 at the time of his death.

This is something we need to remember not just on anniversary dates but at all times. It should serve as the ultimate reminder that we in this Chamber have an obligation to come together and to make this country a better place.

I ask my colleagues in the Senate to join me in honoring their lives and their legacy, as well as the sacrifice of all who have fought and died in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn. Let us never forget their sacrifices and let their legacies be an inspiration for every American.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, are we in morning business?

The ACTING PRESIDENT pro tempore. We are.

REDUCING THE BUDGET DEFICIT

Mr. LEVIN. Mr. President, I wish today to discuss two more ways to reduce the budget deficit by eliminating tax loopholes and special tax breaks and restoring fairness to the Tax Code while protecting essential programs for American families.

Last week I sent a letter to members of the Joint Select Committee on Deficit Reduction outlining a 7-point plan that could lower the deficit by $1 trillion over 10 years through some restored revenues. I spoke last week on the floor about the necessity of addressing revenue, not just spending cuts, to achieve real deficit reduction. I discussed in some detail two of the proposals in my plan, which are combating offshore tax haven abuse and eliminating the tax loophole that forces taxpayers to subsidize stock option compensation for corporate executives.

Since I spoke last week, President Obama has outlined his ideas for deficit reduction. Significantly, the President has embraced the need to restore significant revenues to reduce the deficit. I believe the President's proposals are an important step toward serious deficit reduction. Indeed, some of his ideas parallel the proposals which I have made to the joint select committee.

Today I wish to outline and describe two more of my proposals, each dealing with a tax loophole that benefits Wall Street at the expense of working families and our fiscal well-being. One would end the carried interest loophole that allows hedge fund managers to pay the lower capital gains tax rate on their pay for managing investments. The second would end the blended rate loophole that gives preferential status

to income from derivatives trading even in the case of derivatives held for seconds or minutes. That preferred status is given over the kinds of long-term investments that are more important in helping put capital to work, growing the economy, and creating jobs.

Each of these two loopholes amounts to a subsidy. Working American families who pay their taxes every year end up carrying an extra burden because these provisions allowed Wall Street to pay a lower tax rate and the rate applied to average workers. I cannot see how anybody can explain to working Americans that they must bear a greater tax burden so hedge fund managers get a tax break on pay that often amounts to millions of dollars a year or so that speculative traders can pay a lower tax rate on so-called investments they might hold for just a few seconds.

Let's first talk about the carried interest loophole. Hedge fund managers generally make their money by charging their clients two fees. First, the manager gets a management fee, typically 2 percent of the assets. Second, the manager typically gets 20 percent of the profits from those investments above a certain level. That 20 percent is known as carried interest and, under current law, hedge fund managers can treat that income as a long-term capital gain taxed at a maximum rate of 15 percent and not at the higher ordinary income rates.

What is the blended rate loophole? Since 1981, those who trade in some financial products such as futures contracts and options have enjoyed a specially created tax loophole that allows them to pay a lower rate than, for example, traders who buy and sell stock. No matter how long a speculator holds on to a futures or options contract—again, even if it is a few seconds—their gains and losses are taxed at a lower so-called blended rate; that is, part at the capital gains rate and part as ordinary income. So a dealer who buys a stock and sells it within a year must pay taxes at the ordinary income rate, while that same dealer who buys an option and sells it 30 seconds later gets to pay the lower capital gains rate on most of that income.

These special tax breaks impose an unfair burden on American taxpayers, and they contribute significantly to the budget deficit. Based on estimates from the Joint Committee on Taxation, eliminating the carried interest loophole could reduce the deficit by $20 billion or more over 10 years. The Joint Committee has made no estimates of the cost to the Treasury of the blended rate loophole, but it is reasonable to assume that ending it would reduce the deficit by billions of dollars.

Beyond their fiscal impact, these proposals would help restore fairness to the Tax Code. These tax subsidies give preference to activities that do not contribute much to economic growth or job creation the way other activities that don't enjoy the same subsidies do. Instead, they subsidize hedge fund managers and derivative dealers.

Take the carried interest loophole again for a moment. We tax income that investors receive from hedge funds and other investments at the lower capital gains rate because, in theory at least, those investments help put capital to work, creating jobs and growing the economy. But the hedge fund manager isn't putting his own capital at risk; he is just doing his job, the same as his employees or the janitor who cleans his office at night. This tax break doesn't reward risk taking or job creation; it rewards what is already an extremely lucrative profession. According to a survey by a magazine covering the hedge fund industry, the top 10 hedge fund managers last year each made at least $440 million. Six made more than $1 billion in 1 year. It is hard to imagine that we need to offer a tax break to encourage people to become hedge fund managers.

Similarly, the derivatives blended-rate loophole doesn't just add to the deficit, it is plainly unfair. It is unfair not only to working Americans who have to pay higher tax rates than these derivative traders, it is also unfair to investors who risk their capital and long-term stock and other investments that are more important to job creation but don't enjoy that same tax break. This loophole gives preferential treatment to short-term, speculative trades over long-term, patient capital, and that is exactly the wrong message to send.

We should end these Wall Street loopholes. I have encouraged the members of the joint select committee to end them. We should end them because they add to the deficit, because they subsidize activity that does not need a subsidy and that does not add much to economic growth, and because they are unfair to the millions of American taxpayers who do not enjoy the same tax breaks and have to pay more in taxes to make up for these unfair subsidies. Eliminating them would be good for our economy. It would enable us to reduce the deficit by billions of dollars a year. It would help us fund important programs that protect seniors and children, programs that make our Nation stronger.

So I hope the joint select committee will look hard at these and other proposals in my plan as they carry out their difficult task. I will be back again in the next few days to discuss three more ideas that can reduce the deficit, protect the middle class, and avoid Draconian cuts in vital programs.

I thank the Acting President pro tempore and yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. JOHANNS. 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.

ANGELS IN ADOPTION

Mr. JOHANNS. Mr. President, each year I nominate outstanding Nebraskans as Angels in Adoption, thanking them for their shining example of caring for children in need, children who want nothing more than a family of their own.

This year, I am pleased to share the story of Paul and Mandy Mueting of Kearney, NB. They are true adoption heroes who have opened their hearts and home to three young boys.

After Paul and Mandy had their biological daughter, Lydia, and became parents for the first time, they could not imagine a child not having the blessing of a loving family. Soon after, they learned of a young mother—a ward of the State herself—who was considering making an adoption plan for her then 22-month-old and 4-month-old boys named Steven and Edward.

In August 2007, the boys were placed in the Mueting home and a plan was put in place for an open adoption. However, the birth mother left without relinquishing her parental rights. This was a setback for the Muetings, but they continued to care for and love the boys with the hope that they could still someday adopt them. Several months later, the boys' birth mom returned, asking for another chance to mother Steven and Edward. The Muetings took time to grieve their loss but did not give up hope of adopting children.

In December 2008, the Muetings were informed by Nebraska Children's Home Society that another birth mother selected their family and wished to place her soon-to-be-born son with them. Evan was born in January 2009. The Muetings were overjoyed. They welcomed Evan into their family with joy.

Not long after they settled in with their new son, the Muetings received yet another call. Steven and Edward's birth mom had again made a decision to relinquish her parental rights. Seeing the love the Muetings had for her children, she requested that the boys be placed once again with Paul and Mandy. This was a big decision. It meant instantly doubling the number of children in their family from two to four. They knew that providing love and care to three adopted children is a big responsibility.

Well, you will not be surprised to learn that Paul and Mandy didn't hesitate a moment. With open arms, they welcomed Steven and Edward back into their lives. The adoption was finalized last year. I am told that Lydia has fully adjusted to being outnumbered by three brothers. All four are fortunate to have each other, a wonderful home, and loving parents.

It is with great pleasure and admiration that I nominate Paul and Mandy Mueting as Angels in Adoption. They

are a wonderful example of compassion. My hope is that their story will encourage others to open their hearts to vulnerable children whose only dream is a loving and permanent home.

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.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the roll call be dispensed with.

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

Mr. KYL. I would ask unanimous consent that I may speak for such time as I may consume.

The ACTING PRESIDNET pro tempore.

Without objection, it is so ordered.

GLOBAL FINANCIAL CRISIS

Mr. KYL. This month marks the third anniversary of the Federal seizure of Fannie Mae and Freddie Mac, the collapse of Lehman Brothers, the bailout of AIG, and other events that marked a turning point in the global financial crisis.

At the time, many journalists, pundits, and policymakers were eager to interpret the crisis as a failure of capitalism, as some called it, or a failure of free markets. There was a famous Newsweek cover that said, ''We're All Socialists Now.''

This interpretation is fundamentally flawed, and I wish to speak a little bit about that. Blaming capitalism and free markets and deregulation for causing the crisis that occurred 3 years ago does not tell the real story. We must remember that misguided government policies played a big role in pumping up the housing bubble, and they have subsequently played a big role in delaying our recovery from this crash. So I wish to briefly discuss the findings of several economists who highlight these points.

Loose monetary policy was one such misguided policy that fueled the crisis. Writing recently in the quarterly journal, National Affairs, Stanford economist John Taylor pointed out that U.S. monetary policy became highly discretionary in the years leading up to the 2008 crisis, whereas monetary policy had been more rules-based during the previous two decades. Taylor has determined:

> The low interest rates set by the Federal Reserve from 2003 to 2005 added fuel to the housing boom and led to risk-taking and eventually a sharp increase in delinquencies and foreclosures and in the toxic assets held by financial institutions. A more rules-based Federal funds rate—particularly one that held to the general approach that characterized Fed decisions throughout the 1980s and '90s—would have prevented much of the boom and bust that followed.

This, according to economist John Taylor. In other words, with tighter, more prudent monetary policy, the housing bubble would have been significantly smaller.

Another major cause of the bubble was Federal housing policy, especially the reckless mortgage activities of government-sponsored enterprises Fannie Mae and Freddie Mac. These two institutions, operating under an implicit government guarantee, played a central role in the housing bubble. The government's guarantee permitted them to operate without adequate capital, to assume more risk than competing financial institutions, and to borrow at a below-market rate of interest. Between 2004 and 2007, Fannie and Freddie became the largest buyers of so-called subprime and Alt-A mortgages.

As Columbia Business School economist Charles Calomiris has observed:

> Logic and historical experience suggest that even in the presence of loose monetary policy and global imbalances, if the U.S. government had not been playing the role of risky-mortgage purchaser in the years leading up to the crisis, mortgage-related losses would have been cut by more than half.

To be sure, government entities were not the only institutions promoting the growth of nontraditional mortgages. But government policy was the critical factor that made the bubble so dangerously large. Housing-finance expert Peter Wallison of the American Enterprise Institute argues that:

> Without the huge number of defaults that arose out of the U.S. housing policy, defaults among the mortgages in the private market would not have caused a financial crisis.

So with better, more responsible Federal housing policies, the crisis might have been avoided or have been less severe.

Government failures have also, in the words of Nobel Prize-winning economist Gary Becker, ''prolonged the crisis.'' Indeed, the economy has not responded well to the prodigious spending, trillions in debt, and countless new regulations imposed during the Obama administration. The economic policies of the last few years seem to have hampered the confidence of job creators, while creating widespread uncertainty and undermining confidence.

Michael Boskin of Stanford, in a piece entitled ''The Obama Presidency by Numbers,'' said this:

> President Obama's debt explosion will be a drag on the economy for years to come. . . . The share of Americans paying income taxes is the lowest in the modern era, while dependency on government is the highest in U.S. history.

These are dreary findings.

In January 2009, the U.S. unemployment rate stood at 7.6 percent. By October 2009, it had surged above 10 percent despite the passage of the $1.2 trillion stimulus bill. Unemployment has been above 9 percent for 26 of the 30 months since the passage of the stimulus. In fact, Boskin has found that even by the administration's inflated estimates of jobs ''created or saved'' by the stimulus, each job has cost $280,000—each job, $280,000. That is five times the average American's annual pay. Remember, that is borrowed money that will eventually have to be taken out of the private sector to pay it back.

In addition to the failed stimulus package, the last Congress also enacted a pair of 2,000-page bills that were supposedly designed to repair the health care and financial systems. In the view of Becker, ''These laws and the continuing calls for additional regulations and taxes have broadened the uncertainty about the economic environment facing businesses and consumers. This uncertainty decreased the incentives to invest in long-lived producer and consumer goods. Particularly discouraged was the creation of small businesses, which are a major source of new hires.''

My point is not to needlessly pile on President Obama but to underline the need for a new approach. His policies have made things worse, and the uncertainty surrounding his new proposals has crippled America's economic recovery. As Carnegie Mellon economist Allan Meltzer has written, ''High uncertainty is the enemy of investment and growth.''

America's job creators are eager to know whether their taxes will be raised at the end of 2012, whether the new health care law will force them to lay off a substantial number of workers, whether the Dodd-Frank bill will impose unforeseen new costs, and whether the administration will impose even more regulatory hurdles. Notably, despite the administration's recent rhetoric about regulatory review, the massive new regulations in its two signature bills—health care and financial regulatory reform—will not be reconsidered.

In conclusion, the 2008 financial crisis was not simply a failure of capitalism or a result of free market economic policies. We can reasonably say the crisis would not have been nearly as severe or may even have been avoided entirely without misguided government policies.

All of us here would like to see a strong economic recovery, but reckless spending, debt, more regulation, and government intervention have not boosted the economy so far. It is time for another approach, one that eschews the top-down Washington management and focuses on creating incentives and long-term certainty in the private sector.

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

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

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. ROCKEFELLER. 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.

REMEMBERING SENATOR CHARLES PERCY

Mr. ROCKEFELLER. Mr. President, I rise today with a deep sense of honor and a deep sense of sadness to speak about the late Senator Charles Harting Percy of Illinois who passed away this past Saturday, with his family surrounding him.

Before I begin, though, I also wish to speak about two other losses to the Senate family. One, of course, is Kara Kennedy, the beloved daughter of Senator Ted Kennedy, as well as Eleanor Mondale, the beloved daughter of Vice President and Senator Fritz Mondale. Each of these two wonderful people died at the age of 51 and it is incomprehensible. It is terrible. They were far too young to be taken from us. The Percy and Rockefeller family love flows to their families.

Senator Chuck Percy was blessed to live a long and accomplished life. He lived to be 91 years old. Many of my colleagues know Senator Percy was a distinguished Republican Member of the Senate for 18 years, from 1967 to 1984, which is the year I came to the Senate. He was chairman, as people know, of the Senate Foreign Relations Committee, and a man with an absolutely vast talent that he poured into every aspect of his public service as well as his private business career. He was extraordinary in that way. He had brains. He had vision. He had stamina. He had energy. He was incredibly athletic. He could do anything for any amount of time and under all of this was built this incredible discipline that made him do it all.

Most importantly to this Senator, Chuck Percy was my father-in-law for more than four decades, since I was lucky enough to marry his unique and beautiful daughter, Sharon Percy, who, I might say, has many of the characteristics, nature and habits of Senator Percy. It just worked out that way. She has those characteristics. He extended to me in every way the great gift of joining the family he nurtured, watched over, cared for, and protected all of his life, and for that, obviously, I am forever grateful.

I wish to share a few remembrances of Senator Percy with my colleagues because many here didn't know him—a few did, but most did not; with the people of Illinois, and with all of the family and friends who are hurting from the news of his loss.

Chuck Percy was absolutely unshakeable in his belief in the future. He believed in our country and he believed in our ability to make this world a better place, if we would only put our minds and will and discipline to it. He was a believer. He always saw not through a glass darkly but through a glass brightly. It was his nature. He was guided more by what was right than by party label.

Interestingly, in a press interview in 2008, then-Senator Barack Obama noted that his hope was that more Republicans would look at members of their party for inspiration and then compare them to Abraham Lincoln and Chuck Percy, two ''pretty good Republicans,'' he said.

What made Chuck so magnetic and so successful was his determination to share his optimism, to share his sense of promise with everyone around him, even at a very young age.

Chuck Percy began his business career not at Bell & Howell, where in fact at the age of 29 he became the youngest CEO and president of a major American company, but in fact he did it years earlier at the age of 4. His family was impoverished. They had been devastated by the Great Depression. They faced bankruptcy. They shifted from place to place in some of the most difficult parts of Chicago. So Chuck Percy at the age of 4 wanted to help, and he knew how to help: the entrepreneurial instinct. He took cookies, baked presumably at home, and sold them on the streets of Chicago for a very little amount of money, but he made money from that which he then turned over to the family.

He helped his impoverished family weather the Great Depression and pushed himself, by force of will, to get an education, all the way through the University of Chicago, on scholarship.

Before his business career took off, as did many men of his generation, Chuck Percy went off to war serving his country for 3 years as a naval officer during World War II. Upon returning home, he rejoined Bell & Howell and led that company from 1949 to 1964 through an astounding thirty-two fold increase in the expansion of sales, in what were then cutting-edge film products.

He launched his political career in large part to get back into public service because he missed it. He yearned for it. One could argue that business might have been his real calling, or maybe public service was, but to him he was interested in everything and wanted to do everything. So he had a chance to get back into public service, but he had no grand ambition. He simply wanted to find ways to challenge himself and to help make the country better.

Chuck Percy had a seriousness of purpose. As a young man he resolved to read all of the great books of his generation and generations that preceded his, the master works, as well as the Constitution, the Bill of Rights, the Federalist Papers. He not only read them, but he discussed them all with his professor. It was a stunning emphasis to drive himself to increase his knowledge to the highest level possible.

But Chuck also had a sense of fun and of sport. He loved to be active. He loved to ski, among other things. As fate would have it, he was skiing in Idaho when then-President Eisenhower called him in 1959 to see if he could be persuaded to work on a project to reinvigorate the Republican Party by leading a commission on national goals. It was an ambitious task and rife with political risk for Chuck, but Chuck didn't hesitate. His work helped pave the way for his election, in fact, to the Senate in 1966.

But even more than that, his report served as a template for the reflection and soul searching that went on in this country ahead of that 1976 bicentennial. He cared about the 200th anniversary of America. Everybody did, but he really did, and he wanted to know what we could do better, what we could do more of, and that is what he used that commission for. He wanted America to be a better nation.

As a Senator, Chuck Percy took a strong interest in the economy and international affairs. As chairman of the Foreign Relations Committee he traveled the globe, going to countries whose names were hardly known at a time when very few Senators were even traveling at all. He could do that as chairman of the Foreign Relations Committee, but he wanted to do that and he was good at it. He would get into the tiniest track of a small village to try and meet people, maybe even breaking cultural habits by trying to shake hands with people who were not allowed to shake hands because they were considered too impoverished. Nothing discouraged him, and he wanted to make himself a better person and a better Senator.

Chuck was on a trip to inspect the battlefields of Vietnam, even though he was very skeptical of that war. He was on a helicopter when his aircraft took fire from the Vietcong in a hamlet about 90 miles north of Saigon.

The helicopter lifted off for safety, but left Chuck with four other men and two guns between them to huddle against the ground as mortar shells exploded 15 feet away and small arms fire whizzed overhead. Additional U.S. helicopters soon arrived and rescued the men, and the story went on. He was fearless.

When he came to the Senate, Chuck took on the culture of the Senate. He didn't like a lot of what he saw. I am looking, as I speak now, at Senate pages. He thought there was no reason why girls could not be Senate pages as easily as boys, but that was the custom then. Girls were not deemed to be able to do the work. There was an attitude here in the Senate then that the opportunity of being a page was suited for boys, and during the debate, interestingly, some Senators worried about girl pages not being able to carry copies of the CONGRESSIONAL RECORD to the Senate desks.

He cosponsored the Equal Rights Amendment and spent the better part of his career arguing that women should have the same opportunities as men. Senator Percy knew firsthand from the remarkable women in his own life, his own family, and the remarkable women in his office that women can do anything men can do, and perhaps better. In fact, Senator Percy was furious when he found out that textbooks paid for by the Federal Government included sentences such as ''girls

should be nurses and secretaries, while boys should be doctors and businessmen.''

Chuck Percy also cared deeply about helping less fortunate Americans. People think of him as always having been very rich. No. He was very poor and his family was even poorer. He struggled for a long time. He is rightly credited for authoring and pushing the first-ever legislation to create opportunities for home ownership for low-income Americans.

He focused on older Americans. He wrote a book back in 1974 about the daunting process of growing old in America. This is back in 1974, 9 years after Medicare, and the shameful living conditions and hospital conditions the elder poor had to face. His book was a call to action and a moral imperative to restore dignity to aging.

Chuck favored open government and sunshine laws at a time when it was not popular. He felt strongly that in a democracy, the military establishment should be held accountable and answer specifically to civilian leaders.

He also opposed, for the most part, war and took many positions that undoubtedly hurt him within his party.

But, in fact, he defied party labels, describing himself as ''fervently moderate.'' So aggressively did he seek out evenhandedness that it was known by those who knew him that at his dinner parties at his house, they were always equally divided between Democrats and Republicans; specifically, one Republican, one Democrat, and different parts of the government and business. It was a matter of principle to him.

He wanted to hear all sides, though he was absolutely resolute when he made up his mind. One of the things I thought was most captivating about Chuck was the fervor with which he held his beliefs.

Senator Percy's desire to be President came to be well known—and he wrote about it publicly—but the timing was never quite right so that did not happen.

He lost his race for a fourth Senate term in 1984, just when this Senator was coming into the Senate, and it was one of several very difficult times Chuck Percy faced in his life with courage and with grace.

Early in his life, his family was literally penniless when his father lost his job and all their savings. Then later, at the midpoint of his career, he lost a beloved daughter, Sharon's twin sister Valerie, in an unspeakable and lethal crime that still tears at the soul of our family. Then, in his final years, he was struck down by Alzheimer's for a decade or more. There is no cure for Alzheimer's. The end was fated.

He was never downcast. He was always—until he no longer could—trying to read, walk, play tennis, have meals outdoors, and do something. But it was through the whole of his dynamic and full life that Chuck Percy steadily became the great man whom I have been privileged to know, admire, and love deeply.

Chuck warmed to a challenge. He leaned into life in every way—insisting for himself, his children, and his grandchildren that the best part of living consists of learning, improving, and trying to do better each day. His energy and his focus on this process, fueled in part by Christian Science, was amazing and unmatched, as far as I am concerned.

He was an incomparable father to Sharon and to her siblings. He lived what he believed—very simple—never wavered in his unconditional support and love, and sought and created truth.

America benefitted greatly from his life and from his service. The entire Percy and Rockefeller families have been incredibly and indelibly shaped by his legacy and by his love.

I ask unanimous consent that a statement from the Percy and Rockefeller families be printed in the CONGRESSIONAL RECORD. Mr. President, I yield the floor.

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

STATEMENT FROM THE PERCY AND ROCKEFELLER FAMILIES ON THE PASSING OF SENATOR CHARLES H. PERCY

It is with a profound sense of personal loss that the family of former Senator Charles H. Percy announces his death on Saturday, September 17, 2011, at the age of 91.

He loomed as large in his private life as he did in his public one.

His determination—to overcome odds, to help others, to persuade decision-makers to actions he believed were important—showed us how much can be achieved through the inspiration of a single man.

The energy and enthusiasm he brought to everything in his many-faceted life encouraged us to rise early and to embrace each day's opportunities for work and fun until late at night, and buoyed us up when we flagged. His courage in the face of devastating adversity made us braver and taught us resilience. His insistence on a balanced perspective in his public life, (calling himself ''fervently moderate''), helped us understand it is both possible and preferable to live in a world without partisanship.

He led by example with his self-confidence, relishing the company of people who challenged and informed his thinking, including his outstanding business and Senate staff. He provoked animated discussions around the dinner table and roared with laughter at Capitol Steps skits at his expense. His voice was strong and deep, and it filled and warmed a room.

He taught us humility and respectfulness as, win or lose, he would show up at the Chicago Loop the day after each election to thank the voters. He taught us generosity, as he tried to help others as he'd been helped along the way. He taught us how powerful unconditional love can be.

He went through life with his arms flung wide. He welcomed all who wanted to accompany him on his journey, celebrated the victories with them, and supported and comforted them through his own difficult times.

He unreservedly believed he would be joining the loved ones who had gone before him, and in the face of such conviction we cannot but believe he is having the joyous reunion he had longed for.

We also believe he would want to thank extended family, friends, colleagues, and compatriots for so enriching his life. We will all miss him.

The family will be holding a private service. In lieu of flowers, contributions may be made in the name of Charles H. Percy to The Friends of Georgetown Waterfront Park (P.O. Box 3653, Washington, D.C. 20027) or WETA (3939 Campbell Avenue, Arlington, VA 22206).

The PRESIDING OFFICER (Mr. COONS). The Senator from Illinois.

Mr. DURBIN. Mr. President, first, let me extend my sympathy to my colleague, JAY ROCKEFELLER from West Virginia, son-in-law of the late Senator Chuck Percy, and, of course, his wife, Senator Percy's daughter, Sharon. They are great friends, and I know this loss, though they all found it inevitable, still brings pain to their lives. I hope the reflections of so many people in the greatness of Chuck Percy and his contribution to Illinois and to America will help to, in some ways, alleviate the pain they are going through.

I join my colleague, Senator KIRK, today in paying tribute to our fallen colleague and friend, Senator Charles Percy, who died on Saturday. He served Illinois and our Nation for 18 years here in the Senate.

Although he ran against the two men who were my greatest political inspirations—Senator Paul Douglas and Senator Paul Simon—I always regarded Senator Percy as a friend and as an honest and honorable representative of our State of Illinois.

It is a little known fact about Chuck Percy that he was nearsighted in one eye and farsighted in the other. That unusual vision was a good metaphor for his politics as well. He described himself as ''fervently moderate.'' A progressive Republican, he said he was ''a conservative on money issues but a liberal on people issues.'' He used the word ''liberal'' in the days when you could get away with it.

Charles Harting Percy was born in 1919 in Pensacola, FL. His family moved to Chicago's Rogers Park neighborhood when he was a baby. His father worked as a bank clerk. His mother taught violin for 25 cents a lesson. The bank at which his father worked failed in the Depression and the Percy family was forced into bankruptcy and onto relief.

Chuck Percy got his first job at the age of 5, selling magazines, to help his family along. He sold his mother's homemade cookies door to door, rose at 3:30 in the morning to deliver newspapers and parked cars and worked as a janitor—all while he was in high school.

He worked his way through the University of Chicago on a half-tuition scholarship. Along the way, he had an economics professor, Dr. Paul Douglas.

In 1936, while Chuck Percy was still in college, his Sunday school teacher encouraged him to enter a training program at the man's company. The company was Bell & Howell, near Skokie, IL, a very small manufacturer, at the time, of home movie cameras.

After graduating from the University of Illinois with a degree in economics,

Chuck Percy went to work full time at Bell & Howell. At 23, he was elected to the board of directors. At age 29, he was named Bell & Howell president and chief executive officer, the youngest person to head a major American corporation up to that time.

In 14 years, under Chuck Percy's leadership, Bell & Howell extended its reach in the consumer electronics market. Its number of employees increased twelvefold, and its annual sales climbed from $13 million to $160 million.

In 1964, Chuck Percy was a delegate to the Republican National Convention. It was the same year he ran unsuccessfully for Governor of Illinois against Otto Kerner.

Two years later, Chuck Percy challenged that former University of Chicago professor, Paul Douglas, for his seat in the Senate. I knew all about that campaign. It was my first. I was a college student and an intern to Senator Douglas and went back to work on his campaign in Illinois when Chuck Percy challenged him.

In the final weeks of that campaign, I was with Senator Douglas in my hometown of East St. Louis, IL. He was staying at the Holiday Inn, and he received word, early in the morning, that Chuck Percy's daughter, Valerie, had been murdered in their home.

Senator Douglas—I remember this to this day—saw a church across the street from that Holiday Inn—it was Saint Henry Catholic Church—and though Douglas was a Quaker and later a Unitarian, he said: I am going to that church to pray. He went in and he prayed for the Percy family. He walked out the door and he said, in quiet tones to his staff: This campaign is over until Chuck Percy announces it will resume, and we will say nothing about this tragedy other than to express our sympathy to his family. What a different day in American politics.

Both candidates declared a halt to the campaign. It lasted nearly 1 month. It was the month of September. That decision showed a humanity and a respect which is missing on too many occasions from today's politics.

Chuck Percy went on to win that campaign. In the Senate, he backed consumer protection and environmental efforts and supported international nuclear nonproliferation. When you listen to his agenda of priorities, you find it hard to place it in today's very conservative Republican agenda.

A Navy veteran, he was an outspoken opponent of the war in Vietnam. It was an act of political courage that earned him a place on Richard Nixon's infamous enemies list.

He was the first Senator to call for an independent prosecutor to investigate Watergate.

In 1970, he joined the Foreign Relations Committee. One decade later, when he rose to chair that committee, he explained his views on foreign policy this way:

> I don't want foreign policy developed just by one party and ride roughshod over the other party. I'd much more value a bill that has bipartisan support. That's what this committee achieved in World War II, achieved in the Marshall Plan.

Chuck Percy was reelected to the Senate in 1972 by more than 1 million votes, the largest plurality of any Senate candidate in the Nation that year. He won a third term in 1978.

Running for a fourth term in 1984, he was challenged in a bitter primary by an archconservative—a man whose money came from out of State and was never traced. Although he won that primary, he would go on to lose the general election to my friend, Senator Paul Simon, who won with 50.1 percent of the vote.

That same year, Senator Percy's son-in-law, our colleague, Senator ROCKEFELLER, was elected to the Senate from West Virginia.

After leaving the Senate, Senator Percy said his proudest accomplishment in office had been pushing for more opportunity for women in the Federal Government. His lasting legacy goes way beyond that.

In 1970, it was Senator Chuck Percy who persuaded Richard Nixon to nominate one of Senator Percy's former classmates for a spot on the Court of Appeals for the Seventh Circuit. Five years later, that former University of Chicago classmate, John Paul Stevens, was elevated to the U.S. Supreme Court, where he served with distinction until his retirement last year.

I can recall when Senator Percy was in office. I had backed his opponent, Senator Douglas, whom he defeated in 1966. I contacted his office. I was a student at Georgetown Law School. We had a group of Democrats, and I thought: I will just take a flier here. Let me call his office and see if he will meet with us. Of course, he said yes. The next thing you know, 10 Georgetown University Law Center young Democrats were sitting in Chuck Percy's office. He knew it, and we had a good time, a good exchange. That is the kind of person he was. That is the kind of politics he practiced. That is a reminder of what life was like not that long ago.

After leaving office, Senator Percy became an international relations and trade consultant and board chairman of an organization that administers education and cultural exchange programs.

Two years ago, his daughter, Sharon Percy Rockefeller, announced that her father had Alzheimer's. Senator Percy had been struggling with the disease for more than a decade.

Even out of office, he would call me from time to time, usually with a request about Washington, DC. Illinois was his love and the Chicago area always his hometown. But he had a passion and love for Washington too and he worked hard to make this a better city.

I wish to offer my deepest condolences to Senator Percy's wife of more than 60 years, Loraine, to Sharon and JAY ROCKEFELLER and all the Percy children, grandchildren, and great-grandchildren.

I feel honored to have been schooled in politics in Illinois during this era, to have known such extraordinary men when I was just a youngster, a college student starting out. Knowing all of them and watching them in public service gave me an impression and an ideal of what this job should be all about.

When I heard of Senator Percy's death—I know his family had anticipated it—it brought back many memories of the fine contribution he made to Illinois and to the Nation. We are lucky to have had men like him, successful in so many ways, devoting a major part of their lives to public service. We are also fortunate they did it with such a feeling of responsibility, not only to their State and Nation but also to be public servants in the best sense of the word, working with everyone to try to find solutions to problems. It is a lesson we need to relearn today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I ask unanimous consent to suspend the time limitation and continue for 8 minutes to eulogize Senator Percy.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. KIRK. Mr. President, I rise along with my colleague from Illinois, our senior Senator, Mr. DURBIN, and, of course, Senator ROCKEFELLER, related to the Percy family, to eulogize Senator Percy, whom he we lost on Saturday—a great and one of the most successful Illinois Senators.

Senator Percy dedicated much of his life to serving our Nation, first in the U.S. Navy and then for 18 years in the Senate.

I think I am the only Member of the Senate who actually voted for Senator Percy and volunteered in his campaign, along with my mom, when I was only 12 years old. Senator Percy, we knew, was a focused and disciplined leader, who succeeded at nearly everything he put his mind to.

He graduated from my alma mater, New Trier High School, and also lived in Kenilworth, IL, my hometown. He later, after graduating from New Trier, went to the University of Chicago. After getting a bachelor's degree in economics, he joined a small camera company called Bell & Howell.

He then led Bell & Howell, starting at the age of only 29, into making military cameras and movie projectors and then a new product called microfilm. As the leader of Bell & Howell, he was one of our greatest job engines of the State of Illinois. Employment grew 12 times under his leadership and earnings 32 times. But Charles Percy wanted to do more for his country.

As we heard, at the request of President Eisenhower, he helped write ''Better Decisions For America'' as part of

the Republican platform of 1960. Charles Percy ran for Governor in 1964, but he lost that election. In the not-so-proud tradition of Illinois, that Governor then went to jail and Percy became seen as a corruption fighter in our State. Just 2 years after that defeat, Charles Percy was elected by the people of Illinois to represent them in the Senate, defeating Paul Douglas.

During that campaign, his daughter Valerie was murdered in my hometown and his hometown, Kenilworth—one of our town's only murders. It was through this tragedy that we saw so clearly Charles Percy's quiet dignity.

In the Senate, Chuck Percy was first known as a proponent of a foundation to back home ownership for low-income families. He was the toast of this town in the 1960s, described by the New York Times as ''the hottest political article in the Republican Party.'' He even led in polls for the 1968 Republican nomination for President.

Senator Percy, though, was at heart an independent who took on corruption in his own State, and especially his own party. He moved the first resolution calling for an independent prosecutor on the Watergate scandal. The New York Times reported:

> Nixon fumed to his cabinet that he would do all he could to make sure that Mr. Percy, who already voted against two Nixon nominees for the Supreme Court, would never become President.

Senator Percy fought corruption wherever he saw it. In 1977, he took on White House Budget Director Bert Lance for backdating checks to gain tax deductions. Lance later resigned.

Senator Percy was best known for his work as chair of the Senate Foreign Relations Committee during historic times, when the United States recovered its nerve and stared down the Soviet Union, and it won the Cold War outright.

He was a gentle man, disciplined in swimming every day, and a devout Christian Scientist who read the Bible each evening.

Senator Percy was a strong, honest, and principled man whose integrity remained uncompromised in his nearly 20 years in the Senate. He believed that accountability, checks and balances, and transparency should be the driving forces of government.

We will miss his moderate, fiscally conservative brand of politics. His legacy is one of genteel, thoughtful leadership, and his fight against corruption in Illinois is sorely missed today.

I send my sincere condolences to Senator Percy's wife Loraine and his children, Sharon, Roger, Gail, and Mark, and their spouses—including our colleague Senator ROCKEFELLER—and to the grandchildren, great-grandchildren, and many friends and family who will mark his passing at the funeral on Wednesday.

Senator Percy was one of the best-remembered Illinois Senators. He represents a tradition, in some sense followed by me. As a former volunteer for his campaign and one who voted for him, we mark his loss today.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXTENDING THE GENERALIZED SYSTEM OF PREFERENCES—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2832, which the clerk will report.

The assistant legislative clerk read as follows:

> Motion to proceed to the bill (H.R. 2832) to extend the Generalized System of Preferences, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be divided and controlled between the Senator from Montana, Mr. BAUCUS, and the Senator from Utah, Mr. HATCH, or their designees.

The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I say to my friend from Alabama, I don't plan to take a lot of time—maybe 10 minutes total.

Mr. President, in 1934, President Franklin Delano Roosevelt said:

> No country, however rich, can afford the waste of its human resources. Demoralization caused by vast unemployment is our greatest extravagance.

President Roosevelt said these words at a fireside chat nearly 80 years ago. Our economy was slowly on the path of recovery after suffering the worst financial crash in American history. Roosevelt had turned his focus to helping the ''permanent army of unemployed'' Americans—those Americans who didn't have jobs. His resulting investment in America's human resources put millions of people back to work.

Today, we face a similar situation. After a significant financial crisis, our economy is in tough shape. Our economic recovery is fragile but improving. Housing foreclosures have slowed and investors are looking for new opportunities. We have a long way to go. But 14 million Americans are still looking for work—and that is just unemployed. If you add the underemployed, it is probably closer to 20 million, and maybe more than that. Like President Roosevelt, we must bolster our investment in American human resources because, as in 1934, America's strength is in its people.

When people are denied the opportunity to work, they are denied the dignity that comes with that work—let alone the income, let alone providing for their families. Trade adjustment assistance, or TAA, is the right investment in America's workers. TAA provides training and income support to thousands of Americans so they can get a good-paying job right here in our own country. TAA helps them earn the dignity that comes from putting in a good day of work.

I worked with my friend, Ways and Means Chairman DAVE CAMP, from Michigan, who is a good man. We worked together on a TAA agreement that improves the efficiency, accessibility, and effectiveness of the program. I highly commend Representative DAVID CAMP. Our staffs have worked very closely over and over to try to find a common agreement for reauthorizing trade adjustment assistance. We worked to scale back the cost of the program, while maintaining the importance of training that helps workers secure good-paying jobs here at home.

The amendment we are offering today is one I made with Chairman CAMP on TAA. It extends coverage to workers in the services sector, which makes up 80 percent of our economy. It wasn't there before, at least not before 2009. Extending this coverage means manufacturing workers, as well as computer programmers and airline maintenance technicians will have equal access to the TAA Program.

It also extends TAA to all workers. Current law does not cover 8 of our top 10 trade partners, including China, Japan, and Korea. Our amendment removes this geographic limitation and expands TAA's benefits to cover trade with all countries.

Job retraining is the heart of TAA. This training has a proven track record of providing workers the skills they need to secure their next job. We know it works—and it works well—in my State of Montana and across the country.

Al Drebes worked at Plum Creek Lumber Mill in Pablo, MT. In January 2009, Al was laid off. With a young family, he needed to quickly find a new job. But after he spent months sending his resume around, he realized he needed to update his skills.

What did he do? Al signed up for TAA and began training in recreation power equipment repair. Following his classroom training, TAA partnered him with a local employer, S&S Sports, which specializes in all-terrain motor vehicles, jet skis, and other such things that are so important to so many people in our country—and, I might add, they are a lot of fun. Al began on-the-job training with S&S and did such a great job that the company hired him full time. Because of TAA job training, Al now has the security and dignity that comes with a full day's work, and he continues supporting his family.

In addition to providing essential job training, our TAA amendment also helps American workers maintain health insurance for themselves and their families. TAA-eligible workers have access to the health coverage tax credit, which provides a 72.5-percent tax credit subsidy to make health care

more affordable; otherwise, they would not have any health insurance. With nearly 50 million uninsured Americans, this benefit is more important than ever.

Finally, the TAA agreement strengthens programs that help America's small businesses and small farmers. These programs—TAA for Firms and TAA for Farmers—provide targeted, intensive technical assistance to help small businesses and farmers improve their business plans, and they provide seed money to implement those plans.

This bill also provides duty-free access to the U.S. market for imported products from certain developing countries.

The Generalized System of Preferences, otherwise known as GSP, lowers the costs on inputs for American employers across the United States. American manufacturers use GSP imports—imports from developing countries, where the tariffs are reduced so imports can come in more easily—to build cars, produce steel, and manufacture hydropower turbines, for example.

Since GSP expired last year, American companies have paid nearly $400 million in tariffs on these imports. That is an added cost to American business of $400 million. By reauthorizing and extending GSP, we ensure that these workers, and workers in 129 countries around the world, have the opportunity to earn the dignity of work.

This amendment, in short, helps save and create American jobs. It helps Americans keep their jobs by providing the low-cost inputs U.S. manufacturers need. It helps Americans who lose their jobs get the skills they need to secure a new job and earn the dignity a solid day of work provides. The amendment is fully offset and doesn't add a dime to our deficit.

This amendment invests in America's human resources, just as President Roosevelt envisioned. It ensures our workers are not demoralized by unemployment and that they are energized by the hope of again standing on their own two feet.

I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank the chairman for his hard work on this bill. I have supported him so many times in the past and hoped over the last several years as we have discussed my little problem in Haleyville, AL, that maybe some agreement could be reached. But the U.S. Trade Representative, who talks sympathetically and does nothing, and the congressional committee seem to be of the view that any change, even though that is what they are empowered to do, is somehow not possible and we should not make changes in our trade law. So I objected today to going to this bill because I wish to see modest changes made in it.

We are facing job losses in America. As my colleague has said, more than 25 million Americans are unemployed or underemployed. The unemployment rate remains above 9 percent. In Alabama, unemployment is now higher than the national average. A few years ago, we were below the national average.

In times such as these, Congress ought to consider options that create a favorable environment for businesses without adding more to the debt by spending money to try to stimulate the economy. One such measure would be a small change in the generalized system of preferences—the GSP—which the Senate is considering this week.

Some background: The GSP was enacted in 1974 to give developing countries duty-free access to our markets, while still protecting American industries. Importantly, a key concept of the whole plan of GSP was if a product is made in America, that type of good is not allowed duty-free access to GSP. They would not be allowed to be imported duty free if we have an ongoing market. In some instances, we did not have ongoing production, so we allowed poorer countries to import duty free because it didn't lay off American jobs. Importers are not allowed the preference of a lower rate under those circumstances.

Unfortunately, the U.S. Trade Representative concluded otherwise a number of years ago and made an exception, straying from the original, fundamental purpose and principle. And that exception threatens the American sleeping bag textile industry and those industries that support it.

In 1992, the U.S. Trade Representative added sleeping bags to the list of GSP-eligible products in a special effort to support—it appears, at that time—the textile industry in Czechoslovakia. But, apparently, Czechoslovakia never produced a sleeping bag. Apparently, this was a political deal. They wanted to help Czechoslovakia after the fall of the wall.

I can understand that, but do you see what is happening? Some political part of the government worrying about foreign policy decides we don't care too much about American sleeping bags, or whatever, because we want to make friends with this country. So we forego American jobs for foreign jobs as a way to win favor with those countries.

Now, I am not saying that is never good, but I am saying when we do that time and time again we begin to concede too much of American wealth and jobs.

So GSP was in effect in 1974 to help those countries, and I don't think it should have been changed. But a few years ago, a Chinese company began to produce sleeping bags and import them into the United States. They are not eligible to be a GSP low-cost, duty-free shipper because they are not a poorer nation that qualifies under the GSP. But they began to import into the United States, and when it became clear we had a good American company that could compete effectively against them, they realized there was a loophole and that Bangladesh could qualify for this loophole. So they moved their plant over to Bangladesh—at least in name they moved it—and continued to supply the materials to Bangladesh where the sleeping bags are produced and then imported duty free under this loophole that should never have been created because it has put Americans out of work.

So with regard to China, I just have to note it is not a principled free-trade country. They are out aggressively to advance their interest and the interests of their companies and to sell everything they can sell abroad to advance their interests regardless of how many Americans are placed out of work. So I think our leaders have to begin to be sensitive to these practices.

When will we start tough negotiations on behalf of our workers instead of resisting efforts to help our workers be competitive? Instead of standing up and being tough with JEFF SESSIONS, the Senator from Alabama, they need to stand up and be tough with people in Beijing, it seems to me. I believe in free trade. My voting record proves this. I have supported virtually every free-trade agreement. But free trade is not free if we allow ourselves to be exploited, if we hand unfair advantage to other nations.

Haleyville is a small town. It is in the county of Winston—known as the Free State of Winston. Winston County claims and, I think, in effect did secede from Alabama when Alabama seceded from the Union. There are people in Winston County named Ulysses right now, after Grant. It is a remarkable county. It is an hour and a half from Birmingham, the closest center. It is very rural—15,000, 20,000, 25,000 people.

Also, Marion County is in the same area, and they have high unemployment—about 12 percent unemployment in that area. These 100 or so jobs are important.

I went there a few months ago. The local high school band played, and they welcomed me. All the employees were there. They pleaded with me to do what I could to help them save their jobs, and I promised to do so. But I am afraid we are in a mood, and the bill is moving, and we will just move it through and people will forget those people back home in Haleyville. But I am not forgetting them.

I believe they have a legitimate request to make of their government to adhere to the true principles of GSP—that they don't get to import textiles into the United States if there is a domestic manufacturer that would be adversely affected. They can import, but they have to pay the 9-percent tariff that other countries pay on textiles.

So I am afraid what is happening in Haleyville, sadly, is a symbol of our broken system. This trade loophole contradicts GSP principles. I believe it is indefensible. It is a benefit to China

paid for directly by American workers. It just is. This company in Alabama pays taxes, obeys the regulations, plays by the rules, and they ask for nothing more than a fair shake. But how do our laws reward them? Out of the blue, they find they have competition from a foreign import. So we give Bangladesh the ability to skip all the taxes other importers pay, and primarily to the benefit of a Chinese company so they can undersell the plant in Alabama.

What happened to the President's pledge of just last week when he said he wanted to make sure more products are stamped with three words: ''Made in America?'' The GSP is supposed to exclude benefits to American-made textiles and import-sensitive products. Yet through a loophole and a ruling by the USTR, sleeping bags are not even considered a textile. If sleeping bags are not a textile, what are they? They are not food, they are not a water pump, they are not a piece of machinery, they are not a bench. They are made of fabric and fibers. They are clearly a textile. For this reason, some sections of the United States Code—including the Berry amendment—designates sleeping bags as textiles explicitly. It makes no sense for the government to recognize sleeping bags as textiles under some sections but not others. So all I am proposing is to bring uniformity to the law and following the intent of the GSP as initially passed.

The fast-growing exports from Bangladesh are threatening American sleeping bags throughout the United States. It is an industry that has grown throughout the United States. Exxel Outdoors—really a California company—employs nearly 100 people in a county with unemployment at 12 percent. But already Exxel has seen a 20-percent decrease in its sales. If the appropriate changes are not made, this factory will close and 100 American workers in Alabama will lose their jobs, and others around the country will lose their jobs.

Let me tell you a little more about Exxel. They came under new ownership in 2000. The new owner had planned to close the factory and send the jobs to Mexico to try to build a plant in Mexico. Instead, he realized the competitiveness of being in Alabama at this plant. He met and liked the people in Haleyville. They surprised him. He thought he would try it, he would give it a shot. He brought jobs back from Mexico and China. Since then they have prospered, creating quality sleeping bags right here in the United States.

Exxel uses suppliers in New York State, New Jersey, North Carolina, Tennessee, and Mississippi. This is how a manufacturing system works in a country such as the United States. It has ripple effects far beyond what some people might think.

I met one of the great industrialists in Germany recently who is investing in Alabama. He told me we have to have a Renaissance in manufacturing in the industrialized first world, and he was very sincere about this. He is a highly intelligent, accomplished man.

As you can see from this map, this little plant in Alabama is supporting people in Mississippi; Cullman, AL; Atlanta, GA; Volunteer Thread in Nashville; Wiggy's in Clinton, TN. They make sleeping bags. I have a letter from them saying their business will be threatened too. Martex Fiber in Spartanburg; Consolidated Fibers in Charlotte; Royal Slide in New Jersey; Polartec in Lawrence, MA; Pennsylvania, New York, Vermont, Colorado, and California. So these things have ramifications.

Indeed, recently, by chance, I was talking to a person with deep experience in the textile industry, and he told me they are becoming more competitive. He says we are actually gaining back jobs from abroad. That is exactly what was happening here. This man gambled. He bet on the United States. He didn't know they would figure out a way to go to Bangladesh and undercut him.

So this carve-out created for Czechoslovakia, discovered and used by a Chinese company, is creating jobs abroad and not in the United States. So the proposed fix I have suggested is not some sort of corporate welfare. It would not lower taxes for any business. Indeed, it would ensure we collect a little tariff duty on products coming in from Bangladesh. They can ship them in, but they have to pay the normal tariff of 9 percent on imported textiles. It would not add one cent to the deficit of the United States. It would give no loan guarantees, no subsidies, no handouts. The fix simply declares sleeping bags are what they are—textiles—and subject to the rules of textiles under GSP. Really, it would ensure Exxel and other companies in the United States have the same competitive position they had before this plant was moved to Bangladesh.

Some are calling this an earmark. I don't believe that is true or fair to say. Earmarks give direct financial benefit to an entity through tax benefits or government grants. This is not a grant. It does not eliminate tariffs so Exxel will pay less taxes. It doesn't give a direct benefit to Exxel. It does not cost the United States one cent. It eliminates an unfair earmark that already allows a Chinese-run company to purchase raw materials worldwide, manufacture sleeping bags at a Bangladesh factory, and then import them into the United States duty free.

I repeat: I am trying to strip an earmark. I am trying to actually strip an earmark for China from the bill that is before us. I am asking that we uphold the values and rules we have put into law. I don't know how this was changed after Congress passed it in 1974, stating if you import textiles you have to pay a tariff unless there is no domestic manufacturer of that textile against whom you are competing. How that got changed, I am not sure.

So I ask that we eliminate the special benefit that has been provided to this country and this one textile.

Exxel is just one company that is currently being hammered by this unfair loophole. They are indeed in financial threat. They were supplying 30 percent of the sleeping bags in the United States. They saw a decline of 20 percent already in that product.

Mr. President, I will offer for the RECORD letters written by other businesses in support of Exxel's efforts.

Stein Fibers of Charlotte says:

> Exxel Outdoors has been a solid customer of Stein Fibers, Ltd for many years. We supply synthetic fiberfill for sleeping bags made at their Haleyville, Alabama factory.

Wiggy's Inc. says:

> Bangladesh recently entered the U.S. market and supplied over 700,000 sleeping bags last year.

Wiggy's makes sleeping bags in Grand Junction, CO. They have copied their Senators, and they ask that we support my effort.

Rusken corrugated containers in Cullman, AL, supplies the shipping packages for these products as they are shipped.

Dunlap Industries in Chattanooga, TN, says they are one of the largest suppliers of thread in the United States, and Exxel is a customer of theirs.

Smurfit-Stone Container Corporation in Tupelo, MS, is also a supplier of Exxel.

Royal Slide Sales Company, Inc., of Garfield, NJ, says:

> As Royal Slide provides sleeping bag carry cases to Exxel's Haleyville, Alabama factory, the resulting decrease in their business from this surge in duty-free importation of synthetic fill sleeping bags is directly leading to a decrease in our business.

They support reform.

Martex Fiber says:

> We are a major supplier of fiberfill to Exxel Outdoors. We have been proud to watch one of the last—

Listen to this—

> We have been proud to watch one of the last remaining American sleeping bag factories keep going steadily, even as virtually all its competitors moved their facilities to other countries.

They go on to say that Exxel is entitled to relief.

Consolidated Fibers of Charlotte, NC, says:

> The impact on our company will be great if the Exxel Outdoors factory is forced out of business by these foreign imports without duty. We supply a great deal of fiberfill to Exxel on an ongoing basis.

Mr. President, I ask unanimous consent that these letters be printed in the RECORD.

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

STEIN FIBERS, LTD.,
Charlotte, NC, February 5, 2010.

Re Comments—Exxel Outdoors petition, GSP, sleeping bags, HTSUS #9404 30.80, Docket #USTR–2010–0004.

SECRETARY, UNITED STATES INTERNATIONAL TRADE COMMISSION: Exxel Outdoors has been

a solid customer of Stein Fibers, LTD for many years. We supply synthetic fiberfill for the sleeping bags made at their Haleyville, Alabama factory.

We are writing in support of withdrawing from GSP, the sleeping bags coming in duty free to the United States under HTSUS 9404.30.80. With duty free status, the importers of these bags are taking away significant business from Exxel Outdoor, which in turn will hurt our business.

If these sleeping bags continue to get duty free treatment under GSP, before long Exxel's factory will be forced to close down. In 2009 Exxel Outdoor accounted for $407,985.80 of our revenue, which would be of significant loss to our company.

If you would like to discuss this with me, please contact me at your convenience.

Sincerely,

RANDY LAYMAN,
Stein Fibers, LTD.

WIGGY'S INC.,
Grand Junction, CO, May 24, 2011.

Hon. RON KIRK,
U.S. Trade Representative, Executive Office of the President, Washington, DC.

DEAR AMBASSADOR KIRK: I understand that the Administration will decide soon on the petition filed by Exxel Outdoors (USTR–2010–0017) and determine if sleeping bags should be duty-free under the Generalized System of Preferences (GSP), assuming that Congress re-authorizes that program. I am writing to urge you to recommend that imports of sleeping bags from all countries remain subject to the normal U.S. duty-rate of 9 percent. If non-down sleeping bags from low-wage countries like Bangladesh are duty-free, it will pose a great threat to the remaining U.S. sleeping bag producers such as Wiggy's.

Until recently China was the only meaningful foreign competitor in the U.S. sleeping bag market. Imports from China are, and always have been subject to the normal duty rate for sleeping bags. This has enabled some U.S. manufactures such as Wiggy's to remain competitive with foreign suppliers. However, Bangladesh recently entered the U.S. market and supplied over 700,000 sleeping bags last year.

With rising costs in China and other global dynamics, Bangladesh is the world's low-cost manufacturer of textile products such as sleeping bags. Manufacturers in Bangladesh are ramping up production of sleeping bags and will continue to do so, just as they are with other textile products. There is little doubt that over the next few years Bangladesh will take a sizable share of the U.S. market presently filled by China. The only remaining question is: Will Bangladesh also capture the market share presently serviced the U.S. manufacturers? The answer to that question will be determined by the decision you are about to make the petition filed by Exxel Outdoors.

U.S. manufacturers can compete if the trade laws are fair and equitable. It is grossly unfair that Bangladesh can import fabrics, fiber fill and other materials duty-free from China, assemble them into sleeping bags, and export the finished product duty-free to the U.S., even though the vast majority of those sleeping bag inputs are products of China. Conversely, U.S. manufacturers must pay duty on any of the components we import to produce sleeping bags.

I trust you will recognize this injustice, and agree that GSP is not supposed to harm or threaten U.S. manufacturing. Please grant Exxel Outdoors' request to remove non-down sleeping bags from GSP.

Sincerely.

JERRY WIGUTOW,
President.

RUSKEN PACKAGING, INC.,
Cullman, AL, February 3, 2010.

Re Docket # USTR–2010–0004, Exxel Outdoors Petition on Sleeping Bags, HTSUS # 9404.30.80.

SECRETARY, UNITED STATES INTERNATIONAL TRADE COMMISSION: Rusken Packaging has enjoyed a long time relationship with Exxel Outdoors, supplying them with shipping cartons for their sleeping bags. Exxel is a stellar example of the quality work ethic that we have here in Alabama.

We wholeheartedly support Exxel in their petition to withdraw synthetic-filled sleeping bags from the GSP. We believe this creates unfair competition for Exxel's American-made product This Is not only harming Excel, it is hurting the American companies that Exxel sources from, such as Rusken Packaging.

For the good of many American businesses, please remove these sleeping bags from the GSP.

If you would like anything additional from me, I will be glad to make myself available to you.

Warm regards,

JOHN GIATINNA,
Rusken Packaging, Inc.

FEBRUARY 10, 2010.

Re Docket USTR–2010–0004—Exxel Outdoors Petition on GSP, HTSUS # 9404.30.80.

SECRETARY, UNITED STATES INTERNATIONAL TRADE COMMISSION: As one of the largest suppliers of thread in the United States, U.S. Thread is in strong favor of the petition to remove synthetic fill sleeping bags from the GSP—the same type of bags that are cut and sewn at the Exxel Outdoors factory in Alabama.

This special duty-free treatment for sleeping bag imports from other countries could very well force Exxel to shut down their Alabama factory. This would negatively impact U.S. Thread's business to a great extent, and many communities throughout the Southeast United States.

We can ill afford to lose a significant customer like Exxel Outdoors. The loss of Exxel Outdoors would devastate the community of Graysville, TN by adding to already astronomical unemployment rate in this area. We have been supplying Exxel Outdoors with all of their sewing thread for many years, and if Exxel were forced to close their doors due to, what we believe, would be an extremely unfair trade agreement, an already economically depressed area would experience the loss of an additional 200 jobs, and a revenue loss to U.S. Thread of $500,000 per year.

U.S. Thread has already lost far too many textile and apparel customers to foreign competition. Evidence of this is the fact that In 2000 our active employee number was 80. In 2010, that number has been reduced to just 25. We can factually attribute this directly to foreign, absurdly low cost labor, arid back room trade deals.

Thank you for this opportunity to express our support on this important matter. Please do not hesitate to contact me if you have any questions or would like further comment.

ROBBIE OWENS,
DIRECTOR OF SALES AND MARKETING,
U.S. Thread/Dunlap Industries, Inc.

SMURFIT-STONE
CONTAINER CORPORATION,
Tupelo, MS, February 5, 2010.

Re Docket—USTR–2010–0004, Exxel Outdoors Petition, HTSUS #9404.30.80.

SECRETARY, UNITED STATES INTERNATIONAL TRADE COMMISSION: Smurfit-Stone Container Corporation strongly supports the petition by Exxel Outdoors to remove synthetic-filled sleeping bags from the list of duty-free imports in the GSP.

The duty-free importing of these sleeping bags is giving foreign countries an unjustifiable price advantage over Exxel's product, hurting their sales.

As a result, Smurfit-Stone directly loses business from Exxel. We supply Exxel Outdoors with hundreds of thousands shipping cartons per year, but this will continue to significantly decrease as the duty-free foreign imports continue.

In the event Exxel were to close is facilities in Alabama, the impact to Smurfit-Stone Container Corporation would be a loss of approximately $500,000 in packaging revenue, which would in turn affect more than 200 Mississippi workers.

We greatly appreciate this opportunity to share our views with you. Please do not hesitate to contact us if you would like anything further from us.

With thanks,

DANNY KENNEDY,
Smurfit Stone Container Corporation.

ROYAL SLIDE SALES CO., INC.,
Garfield, NJ, February 5, 2010.

Re Docket #—USTR–2010–0004, Petition regarding GSP treatment of HTSUS #9404.30.80.

SECRETARY, UNITED STATES INTERNATIONAL TRADE COMMISSION: Royal Slide Sales Company respectfully agrees with the petition of Exxel Outdoors, requesting that you withdrawal certain sleeping bags from the GSP list of products.

As Royal Slide provides sleeping bag carry cases to Exxel's Haleyville, Alabama factory, the resulting decrease in their business from this surge in duty-free importation of synthetic fill sleeping bags, is directly leading to a decrease in our business.

We do not object to imports generally. To the contrary, Royal Slide imports many of our products. But when imports of a finished product directly threaten a U.S. manufacturer, at minimum imports should be assessed the normal duty-rate.

The duty-free imports are giving them what we see as a large, unjustified price advantage over Exxel, and we request that you rule to remove the imports from the GSP.

Should I be able to assist you further with your inquiry into this issue with any additional information, please to not hesitate to contact me at the number or email provided below.

Sincerely,

LEW NEUMAN,
Royal Slide Sales Company.

MARTEX FIBER,
February 4, 2010.

Re Exxel Outdoors GSP Petition on HTSUS 9404.30.80, Docket # USTR–2010–0004.

SECRETARY, UNITED STATES INTERNATIONAL TRADE COMMISSION: Martex Fiber Southern Corporation is submitting this letter to urge that you remove the synthetic-filled sleeping bags from GSP, as Exxel Outdoors' petition requests.

We are a major supplier of fiberfill to Exxel Outdoors. We have been proud to watch one of the last remaining American sleeping bag factories keep going steadily, even as virtually all its competitors moved their facilities to other countries.

As importers are now bringing in duty-free sleeping bags, this is taking away Exxel's ability to compete in its industry. As Exxel Outdoors loses this business, so does Martex Fiber.

The U.S. textile industry has already suffered enough. Given the tow wages and other advantages companies operating in foreign countries have, it is only fair that importers of sleeping bags pay the normal duty rate of 9%.

Please do not hesitate to contact me If you would like any additional from me on this.

Very best,

JIMMY JARRETT,
President, Martex Fiber Southern Corporation.

CONSOLIDATED FIBERS,
Charlotte, NC, February 5, 2010.

Re Docket USTR–2010–0004, Petition by Exxel Outdoors On Sleeping Bags HTSUS #9404.30.80.

SECRETARY, UNITED STATES INTERNATIONAL TRADE COMMISSION: We at Consolidated Fibers support without hesitation, the petition by Exxel Outdoors to remove synthetic fiberfill sleeping bags (HTSUS #9404 30.80) from the GSP duty-free treatment.

The impact on our company will be great if the Exxel Outdoors factory is forced out of business by these foreign imports without duty. We supply a great deal of fiberfill to Exxel on an ongoing basis.

The closure of this factory would weigh negatively on our revenues and our staff.

America cannot afford to lose any more good jobs because of a duty-free advantage given to products from another country. Especially in the Exxel's area of the country where the unemployment rate is nearing 18%.

I will be happy to make myself available to you for discussion, or to answer any questions you may have. My contact information is provided below. Thank you.

Best Regards,

BOB KUNIK,
Owner, Consolidated Fibers.

Mr. SESSIONS. Companies in North Carolina, New Jersey, Tennessee, Colorado, and Mississippi are asking for help on this matter.

I support the GSP. I believe in trade. I will continue to support it. But I only ask that when we have a problem, either the USTR or the Congress listen to somebody and fix it every now and then, not just consider we have a big train here and we are not going to stop to listen to anybody with a suggestion for improvement. A small change will prevent an unfair benefit from accruing to a Chinese company and will prevent more Americans from losing their jobs. This will ensure that trade is free and principled and plentiful.

Senator BAUCUS and I have talked about this, and he has looked at me sadly and listened patiently. But we are down at the licklog, and no relief has been obtained, and that is why I am here today.

I thank the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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.

REMEMBERING SENATOR CHARLES PERCY

Mr. SESSIONS. Mr. President, I would like to share a few thoughts on the passing of Senator Chuck Percy.

Among other things he did in his remarkable life—successful in business and politics—he had a connection to Mobile, AL, my hometown. I believe he was born in Pensacola, FL, and was connected to Thomas Hord Herndon, who was a Congressman from Alabama and resided in Mobile and was well known. I am a distant descendent of Congressman Herndon, and I can always remember, as a young person, particularly my great-aunts talking about him. They followed his career, and I began to follow his career. Maybe it was a factor in my becoming a Republican at a time in Alabama when most were not. He was successful and young and vibrant and created a great image for public service, and it filtered down to this young guy in rural Alabama in a positive way.

So I would just say, Senator ROCKEFELLER, we have lost a great American. He had a tremendously successful career in business and politics. He was a man of integrity and drive and commitment and good spirit. I think we are wise in this body to pause a moment and to be appreciative and to remember people who serve their country in that fashion.

My sympathies are with the Percy family and the Rockefeller family.

I yield the floor.

• Mr. HATCH. Mr. President, I ask the RECORD to reflect that if I would have been present for today's vote, I would have voted to invoke cloture on the motion to proceed to H.R. 2832, to extend the Generalized System of Preferences.

I would like to express my continued support for the extension of the Generalized System of Preferences, GSP. As the GSP expired on December 31, 2010, I am quite happy to see the Senate finally poised to take up this much overdue extension of this valuable trade program.

I am also hopeful that this process will finally lead to quick consideration of our pending trade agreements with Colombia, Panama, and South Korea.

These agreements are long past due. Unfortunately, they have been delayed because the President has made it clear that his most important trade priority is to spend more money on a domestic worker retraining program of dubious effectiveness. He has also made it clear that, unless Congress accedes to his demands, he will never submit these job creating trade agreements to Congress. It is a travesty that the President cares more about spending money than creating jobs.

Yet now that we have this trade vehicle on the floor, I am hopeful we can find a way to allow a full and fair debate on TAA—and in doing so, finally remove what we hope is the last obstacle in front of these three free trade agreements.

The GSP bill itself is important to our economy. The 2-year extension of GSP will provide greater certainty for both U.S. businesses and developing country exporters who are able to utilize the benefits of the program. The program has secured strong bipartisan support for over three decades, and I only expect this trend to continue.

The GSP allows for nonreciprocal, duty-free tariff treatment of certain products from designated developing countries. In fact, some of the top GSP beneficiary developing countries in 2010 were Angola, Indonesia, Equatorial Guinea, South Africa, the Philippines, and Turkey. In order to be designated as a beneficiary country, nations must adhere to an extensive criteria list. In turn, GSP is not only a trade program, but can also be seen as one of our effective foreign policy tools.

For starters, beneficiary countries must protect intellectual property rights, recognize workers' rights, commit to the elimination of child labor, and prevent the seizure of property belonging to U.S. citizens or businesses.

GSP continues to promote trade, rather than aid, to nations that are advancing their economic development; it has worked to stimulate U.S. exports in these markets; and encourages the elimination of trade barriers in developing countries.

What does this mean for the United States? This means our Nation not only has an opportunity to assist developing countries to promote economic growth in their nations, but we also have an opportunity for our American businesses to thrive, while lowering costs for American consumers. Across our Nation, U.S. manufacturers and importers benefit by receiving goods and raw materials at a lower cost. According to the U.S. Chamber of Commerce, approximately three-quarters of U.S. imports that rely on the GSP program, use raw materials, parts and components, or machinery and equipment, to manufacture goods in the U.S. for domestic consumption or for export.

So, although the GSP program was initially created to assist with economic growth in the developing world, it now provides great assistance to our businesses here in the United States.

In 2010 the United States imported $23 billion in GSP-eligible goods from 129 countries around the world. This includes 4,800 eligible products. And, according to the Office of the United States Trade Representative, GSP saved American importers $682 million in duties in 2010. These numbers cannot be overlooked—they represent millions of dollars in savings for our manufacturers, retailers, farmers and families. GSP is particularly helpful for our small businesses. The savings on duties by these small businesses allows them to compete with larger companies.

During these uncertain and challenging economic times, we must give our businesses the necessary tools to compete not only in the global market, but also here at home. Unfortunately, the 9 months that the program has not been operational has negatively affected the competitiveness of thousands of American businesses that rely on duty-exemptions. For these companies, GSP is an integral component of their business model.

In fact, according to the Coalition for GSP, from December 31, 2010, when the

GSP program expired, U.S. companies have paid an additional $1.8 million a day in new duties. To date, this amounts to nearly $480 million in unnecessary additional costs for companies. Businesses in every state in the Nation have been affected by the expiration of GSP and have a vested interest in the renewal of the program.

For example, in my State of Utah—the only State in the country to import Indonesian steam and vapor turbine parts—tariffs have exceeded $235,000 for these goods in the months following the expiration of GSP. Components such as mountings for buildings imported from Thailand, cost Utah businesses an additional $178,000 in tariffs through July of this year. And the total amount of Utah imports of GSP-eligible goods from January until July 2011 exceeded $26.2 million, of which an additional $1.1 million in unnecessary import taxes were paid.

I have heard from Utah manufacturing companies, like Black Diamond Equipment, which is headquartered in Salt Lake City and employs more than 475 people worldwide. That company develops, manufactures and distributes a broad range of products including those used for mountain climbing, camping, and skiing. As of June 2010, they incurred more than $40,000 in tariffs for goods imported from the Philippines—goods that otherwise would have been covered under GSP.

If GSP is not renewed, Black Diamond is projected to pay over $100,000 in unnecessary tariffs by the end of the year. As if that was not enough, because of these duties, Black Diamond is faced with reduced sales, competitiveness issues, and a limited hiring ability for their Utah office. To help companies like Black Diamond succeed, we must act now to renew GSP.

I have shared just a few examples of the additional costs incurred by businesses in my State, and unfortunately, there are many other similar scenarios across the Nation due to the expiration of GSP.

These Utah companies and other businesses around the country are left with difficult decisions about downsizing, hiring freezes, and employee layoffs—this at a time when our economy needs more than ever to be adding jobs. We must lift this additional burden on our small businesses, manufacturers, and farmers, by renewing GSP today, and making sure we provide retroactive application.

I urge my colleagues to come together and extend the Generalized System of Preferences until July 31, 2013, and provide the much-needed retroactive benefits to our U.S. companies.●

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

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 debate on the motion to proceed to Calendar No. 166, H.R. 2832, an act to extend the Generalized System of Preferences, and for other purposes.

Harry Reid, Max Baucus, Robert P. Casey, Jr., Mark Udall, Debbie Stabenow, Jeff Bingaman, Daniel K. Inouye, Maria Cantwell, Patty Murray, Richard Blumenthal, Michael F. Bennet, Patrick J. Leahy, Tom Harkin, Barbara Boxer, Kent Conrad, Sherrod Brown, Carl Levin.

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.R. 2832, an act to extend the Generalized System of Preferences, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kentucky (Mr. PAUL), and the Senator from Idaho (Mr. RISCH).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted ''yea.''

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

The yeas and nays resulted—yeas 84, nays 8, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—84

Akaka	Enzi	Merkley
Alexander	Feinstein	Mikulski
Ayotte	Franken	Moran
Barrasso	Gillibrand	Murkowski
Baucus	Graham	Murray
Begich	Grassley	Nelson (NE)
Bennet	Hagan	Nelson (FL)
Bingaman	Harkin	Portman
Blumenthal	Heller	Pryor
Blunt	Hoeven	Reed
Boozman	Hutchison	Reid
Boxer	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Cantwell	Johnson (SD)	Sanders
Cardin	Johnson (WI)	Schumer
Carper	Kerry	Shaheen
Casey	Kirk	Snowe
Chambliss	Klobuchar	Tester
Coats	Kohl	Thune
Cochran	Landrieu	Toomey
Collins	Lautenberg	Udall (CO)
Conrad	Leahy	Udall (NM)
Coons	Levin	Warner
Corker	Lieberman	Webb
Cornyn	Lugar	Whitehouse
Crapo	Manchin	Wicker
Durbin	McConnell	Wyden

NAYS—8

Coburn	Lee	Shelby
DeMint	McCain	Vitter
Kyl	Sessions	

NOT VOTING—8

Burr	McCaskill	Risch
Hatch	Menendez	Stabenow
Inhofe	Paul	

The PRESIDING OFFICER. The yeas are 84, the nays are 8. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

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

The assistant Daily Digest editor proceeded to call the roll.

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

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

REMEMBERING SERGEANT JOE SZCZERBA

Mr. COONS. Mr. President, I rise today to honor a hero. I rise to remember the sacrifice of a man I am proud to have known. I rise to remember SGT Joe Szczerba of the New Castle County Police who was killed in the line of duty just this past Thursday night.

Sergeant Szczerba and several other officers responded to a disorderly conduct call in New Castle, DE, just before midnight. The officers arrived on the scene and set up a perimeter. Sergeant Szczerba spotted the suspect and gave chase. A seasoned officer, Sergeant Szczerba attempted to subdue the man, and in a very tough fight that ensued he was stabbed.

The suspect continued to resist arrest. Although seriously wounded, Sergeant Szczerba worked with three other officers to take the suspect into custody. Only then did he acknowledge his injury. Officers on the scene performed CPR until county paramedics arrived, but it was not enough. Sergeant Szczerba did not make it.

When I was county executive for New Castle County for 6 years, after a particularly long or difficult day, as I was heading home, I would flip on the police scanner in my car and listen to the chatter, to the calls from dispatch and the officers responding. I was always mindful in those hours that here I was heading home to my family and safety and here were our officers heading out on patrol into a dark and uncertain night.

My phone rang at 5 a.m. this past Friday morning, and it was my friend, Chief Mike McGowan, the county's police chief—his voice weighted down with grief. It was the worst news I have ever received in public life.

New Castle County had only lost one previous officer in a line-of-duty death when CPL Paul Sweeney was in a traffic accident nearly 40 years ago in 1972, but never had an officer been murdered in the line of duty. Each year, as county executive, when I attended our annual police memorial, we would quietly pray that we would never know this day.

Just roughly 2 weeks earlier, Delaware had marked the second anniversary of the killing, in the line of duty, of another brave and decorated local police officer, Patrolman Chad Spicer of Georgetown. It was just too soon for this to have happened again. We all know there is risk—grave risk—in policing, but this could not have happened again. Delaware is a State of neighbors, and as a State we are still mourning Chad's death, and we could not possibly have lost another brave police officer. But we did. This Friday he will be laid to rest.

My State is grieving. In the days that have passed, I have grappled with two questions. I have asked myself over and over: How is it that people continue to do these terrible and dangerous things? How is it that senseless violence continues to claim the lives of the innocent?

As I spoke at the graduation ceremony this past Friday for the Delaware State Police and the Municipal Police Academy and looked at the young men and women who were right in front of me about to take their oath and put on their badge and take on, willingly, this most dangerous and honored profession, another question emerged to me: Why is it that we continue to have men and women who volunteer, who step forward, and who take on this most important and difficult task of preserving the peace, of protecting our communities? What more can we do to support them, to protect them, and to honor them?

These are the questions I challenge all of us to consider.

SGT Joe Szczerba was on the New Castle County police force for 18 years. He was greatly respected by his colleagues on the force and in the community he served. His wife Kathy; his brothers Ed, Gerald, and Stephen; his sisters Nancy and Karen and a host of nieces and nephews survive him.

Today, Heaven is a safer place because Joe Szczerba is on patrol. He was a good man and a great cop, and he died a hero. He died doing what he was called to do, and he died doing what he loved to do. For that, all of Delaware is grateful. We will treasure his memory and honor his sacrifice.

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

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period of morning business.

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

IRAN

Mr. KYL. Mr. President, recently, international media and diplomatic attention has focused on the inspiring stories of citizens across the Middle East and North Africa demanding greater participation in their government.

While the regime changes in Libya, Egypt, and Tunisia have certainly opened the door for democratic progress in a region long dominated by authoritarian rulers, we cannot allow these hopeful aspirations to monopolize our focus or distract our attention from the fact that brutal and oppressive regimes remain.

Today, I want to highlight an especially dangerous and odious regime—that of Iranian President Mahmoud Ahmadinejad and the mullahs in Tehran.

I am seriously concerned by Tehran's continued march toward a nuclear weapon. Earlier this month the International Atomic Energy Agency, IAEA, published a report confirming the obvious—that Iran remains in violation of United Nations Security Council resolutions to halt its nuclear program, and that it is not cooperating with the IAEA.

We also know that the Iranian regime continues to increase its support for terrorist groups operating in Iraq; reports also indicate that it is providing weapons and assistance to the Assad regime in Damascus in its brutal crackdown on the Syrian people.

Iranian authorities, apparently fearful of the popular unrest that swept longtime leaders in Egypt and Tunisia from power—and which is currently threatening Bashar al-Assad's dictatorship in Syria—have cracked down on dissent and increased the arrest and detention of activists and opposition figures in the past months—even arresting young people with squirt guns.

One dissident whose case I have been following is Bahareh Hedayat, a student and women's rights activist. Bahareh was arrested in December 2009 for participating in Iran's prodemocracy student movement and placed in solitary confinement in the notorious Evin prison. After nearly 2 months of interrogation, she was sentenced to 9½ years in prison for her activism. Her 9½ year sentence included 5 years for ''activities against the state,'' 2 years for insulting Supreme Leader Khamenei, and 6 months for insulting Mahmoud Ahmadinejad. Iranian authorities also reinstated a 2-year sentence she received in connection with a 2006 women's rights protest that had been suspended.

While in prison, Bahareh has endured Evin's harsh conditions, interrogation, and a lengthy solitary confinement, all while being denied contact with her husband and family. She has kept her spirit and has even protested her detention and treatment with hunger strikes. However, detention has taken a toll on her and her health has deteriorated. Earlier this year she developed gall stones, and while it was clear that the prison's facilities could not provide adequate treatment, she was only allowed to seek outside care this month. After receiving treatment, she was promptly returned to prison last week.

Bahareh Hedayat and dissidents like her—those who have been brutally punished for seeking basic human freedoms—has shown great courage in confronting the brutality and intolerance of the Iranian regime. She and thousands of others have sacrificed immeasurably to bring about reform in Iran, the United States must show similar courage and do all in its power to support their vision of a peaceful, free, and democratic Iran.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS ARICK MICHAEL DOBSON TARR

Mrs. SHAHEEN. Mr. President, I rise today to pay tribute to the life of PFClass Arick Michael Dobson Tarr, who died at the young age of 20 on July 30, 2011, at Fort Lewis, in Tacoma, WA, where he was stationed. Private First Class Tarr was assigned to the Headquarters and Headquarters Company, 2nd Battalion, 1st Infantry at Fort Lewis and served his country with honor and distinction on a tour of duty in Afghanistan. He was preparing to leave in January to return to New Hampshire.

Americans across the country gathered recently to commemorate the tenth anniversary of September 11, 2001, and to reflect on how the tragic events of that day changed our Nation and all Americans on a personal level. Although Arick was only 10 years old at the time, his life was forever changed by 9/11. That day sparked within him a desire to join the Army and defend the freedoms we hold dear.

Arick defended the American people with courage and distinction, receiving many awards for his service, including the National Defense Service Medal, Afghanistan Campaign Medal with Bronze Service Star, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, NATO Medal, Combat Infantry Badge, Marksmanship Qualification Badge, and Overseas Service Bar.

Arick is remembered by family and friends as having a larger than life personality and a contagious smile. He understood the importance of family and was a role model for his two brothers and six cousins. Although Arick spent much of his life in South Portland, ME, he was very excited to return to New Hampshire after his service, to attend college and begin a new chapter of his life with his fiancee.

Our Nation can never adequately thank this young hero for his willingness to heed the call to defend the American people and our way of life. I hope that, even in these dark days, Arick's family can find comfort in knowing that all Americans share a

deep appreciation for his brave service and sacrifice.

Arick is survived by his fiance, Stefani Greco; his parents, Richard and Jennifer; and his two brothers, Tanner and Wyatt, all of Litchfield, NH. He also leaves behind a caring extended family. This young hero will be missed by all.

I ask my colleagues and all Americans to please join me in honoring the bright life and brave service of PFC Arick Tarr.

INTENT TO OBJECT

Mr. GRASSLEY. Mr. President, I intend to object to proceeding to the nomination of Norm Eisen to be Ambassador to the Czech Republic at the Department of State for the following reasons.

I object to the proceeding to the nomination because of Mr. Eisen's role in the firing of the inspector general of the Corporation for National and Community Service, CNCS, and his lack of candor about that matter when questioned by congressional investigators. The details of Mr. Eisen's role in the firing and his misrepresentations about that matter are detailed in the Joint Minority Staff Report of the House Committee on Government Reform and the Senate Finance Committee, dated November 20, 2009. I would also ask unanimous consent that a letter of January 12, 2011, sent by myself and Congressman ISSA to Mr. Bauer, then counsel to the President, be printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,
Washington, DC, January 12, 2011.

Hon. ROBERT F. BAUER,
Counsel to the President, The White House, Washington, DC.

DEAR MR. BAUER: We write to express our objection to the President's use of a recess appointment to install Norman L. Eisen as U.S. Ambassador to the Czech Republic. As you know, we objected to Mr. Eisen's nomination on the grounds that he attempted to constructively remove the Inspector General (IG) of the Corporation for National and Community Service (CNCS) without the prior notice required by law and that he misled Congressional investigators.

It is our concern that the President's decision to force through such a nominee without the advice and consent of the Senate signals a departure from his recent pledge to work cooperatively with Congress.

The President announced Mr. Eisen's nomination on June 28, 2010. On September 27, 2010, Senator Grassley provided public notice of his intention to object to the nomination. Senator Grassley referred to ''Mr. Eisen's role in the firing of the Inspector General of the Corporation for National and Community Service and his lack of candor about that matter when questioned by Congressional investigators.''

During that investigation, a bicameral group of investigators learned Mr. Eisen personally delivered an ultimatum to former CNCS IG Gerald Walpin demanding that he resign or be terminated within one hour. At the time he delivered the ultimatum, no notice had been provided to Congress as is legally required by the Inspector General Reform Act (IG Act). As you know, the IG Act requires the President to communicate in writing the reasons for removal of an IG to Congress not later than 30 days prior to taking action.

During an interview on June 17, 2009, Mr. Eisen refused to answer at least 12 direct questions. He did, however, assert on that date that the CNCS Board of Directors unanimously supported the removal of IG Walpin. He also asserted that the White House conducted ''an extensive review'' in response to concerns raised by the Board about 10 Walpin's fitness following a May 20, 2009 CNCS Board meeting. According to Mr. Eisen, his ''extensive review'' substantiated the Board's concerns and informed the decision to remove IG Walpin.

Our investigation found that, contrary to Mr. Eisen's assertions, the Board had not unanimously expressed a desire to have Mr. Walpin removed prior to the decision. Moreover, we could find no evidence that Mr. Eisen's ''extensive review'' consisted of anything more than simply asking the CNCS General Counsel to document the Chairman of the Board's concerns about Mr. Walpin. Mr. Eisen did not interview the CNCS Directors. He did not provide Mr. Walpin or anyone else in the Office of Inspector General an opportunity to be heard. He took action based on incomplete information provided only by individuals who had adversarial relationships with the IG.

Mr. Eisen has had several opportunities to address our concerns and has yet to do so. He failed to be forthcoming and responsive during his initial meeting with our staff on June 17, 2009. He again demonstrated a lack of candor in response to Questions for the Record following his nomination hearing before the Senate Foreign Relations Committee on July 22, 2010.

In the interest of allowing Mr. Eisen to address our concerns, we scheduled a meeting with our staff for December 16, 2010 at 11:30 A.M. At approximately 11:15 A.M., the White House postponed the meeting until 2:15 P.M. At approximately 2:00 P.M., the meeting was canceled by the White House Office of Legislative Affairs without further explanation. By calling off a face-to-face meeting in favor of a recess appointment, the White House sent the message that the President is not interested in hearing the concerns of Republican Members of Congress.

In short, Mr. Eisen took action on behalf of the President that ran afoul of the IG Act and subsequently misled Congressional investigators in lieu of conducting a fair, thorough, and responsible investigation. Senate confirmation, under the advice and consent clause, is one of the strongest checks on executive power. Recess appointments are meantatofill vacancies that arise during a long recess, not to bypass the confirmation process. We are troubled by the Administration's circumvention of that process, especially in this instance. The vacancy arose on January 20, 2009, and yet the President waited eighteen months before making an appointment. Given that there had already been considerable public controversy over Mr. Eisen's actions in this matter at the time of his appointment, issues with his confirmation should have been easily anticipated. For these reasons, we believe that a recess appointment of Mr. Eisen to serve as a United States Ambassador is particularly inappropriate.

Thank you for your attention to this important matter. We look forward to working with the White House toward our mutual goal of identifying and deploying qualified individuals of the highest integrity to serve American interests abroad.

Sincerely,

DARRELL ISSA,
Chairman, U.S. House Committee on Oversight and Government Reform.

CHARLES E. GRASSLEY,
United States Senator.

HISPANIC HERITAGE MONTH

Mr. UDALL of Colorado. Mr. President, I rise to join my fellow Coloradans, my colleagues in the U.S. Congress, and others across the country to celebrate and acknowledge the many accomplishments and contributions of the Hispanic community in the United States and especially in Colorado. I have come to the floor on several occasions to highlight the long history of Latinos in Colorado. The community's presence in our State precedes its statehood and Hispanic heritage continues as a vibrant part of Colorado's cultural and social landscape every month of the year. Today, I would like to specifically highlight the contributions Colorado's Hispanic community have made and continue to make to Colorado's economy and to our current economic recovery.

More than 150 years ago, a gentleman by the name of Dario Gallegos established Colorado's longest running general store in San Luis, CO. The store has served Colorado's oldest town consistently for well over a century and today continues not just as an important fixture in the San Luis Valley, but also as a part of Colorado's cultural heritage. The efforts of entrepreneurs such as Mr. Gallegos and those who followed, serve as an example of the entrepreneurial spirit that drives Colorado's Hispanic community to provide valuable services to their communities that enhance all Coloradan's quality of life. Today, Hispanic-owned businesses of all sizes and type dot the Colorado landscape in every part of our state, whether rural or urban. I am proud of the success these businesses have been able to find in Colorado and equally proud that the Latino community continues to be a vibrant part of Colorado's cultural and social landscape.

Hispanic businesses are a driving force in both urban and rural economic growth. Minority-owned businesses in the United States have increased twice as fast as all other U.S. businesses, and in Colorado, the number of Hispanic-owned firms increased by 40 percent from 2002 to 2007. This increase in Hispanic-owned businesses in Colorado has continued since 2007 and has helped sustain our State economy as well as stimulate job growth across the entire State's population. Minority-owned businesses are especially important to Coloradans because they provide jobs to Coloradans as well as valuable services that meet the needs of Hispanic and non-Hispanic communities alike.

I was pleased that the Minority Business Development Agency and the U.S. Department of Commerce worked to establish the Denver Minority Business Center earlier this summer. This center shows the increased commitment to

support minority-owned businesses in Colorado. The new Denver Minority Business Center will further promote the growth of minority-owned businesses in Colorado by ensuring they have the technical skills to access contracting and financing opportunities they need to succeed.

Despite the tremendous potential and growth among minority firms, they still face the challenges that all businesses are facing in a capital constrained market. Also troubling is that research has shown that these challenges can be heightened for minority-owned firms. For instance, minority-owned firms are less likely to receive loans than nonminority-owned firms, making it more difficult for minority-owned firms to secure the capital they need to establish themselves. This is why the Denver Minority Business Center will be a valuable asset to our entire State.

To help business owners start or grow their business, I introduced a credit union lending bill that would responsibly lift the cap that limits the amount of money credit unions can lend to small businesses. By doing so, new loans can help open the doors to new businesses and thereby create more than 100,000 new jobs across the Nation in the first year. This is another example of how we can support Hispanic and non-Hispanic businesses alike to continue to prosper. I understand that there remains much to be accomplished and I am glad that Colorado's Hispanic-owned businesses and workers are willing and ready to be part of the solution.

I am proud to celebrate Hispanic Heritage Month. As we celebrate the many contributions of Colorado's Hispanic community to our State, I hope that we can draw attention to the need to cooperate so that we can find shared solutions to create a stronger environment for all businesses to thrive.

ADDITIONAL STATEMENTS

KOTA RADIO OF SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, today I recognize a broadcasting pioneer in my home state of South Dakota. KOTA Radio is celebrating its 75th anniversary this November and I would like to commend the great work of the Duhamel family in building KOTA into a well-respected and recognized broadcasting entity in western South Dakota and parts of Wyoming, Nebraska, and Montana.

On November 26, 1936, Black Hills Broadcasting began radio operations as KOBH—Kall of the Black Hills—and began broadcasting from the penthouse of the Alex Johnson Hotel. The station became known as KOTA in 1945. Helen Duhamel purchased a minority interest in Black Hills Broadcasting in 1943, expanded her holdings in 1948, and by 1954 she had purchased all remaining common stock and Duhamel Enterprises was formed. She helped pave the way for women in South Dakota business and was one of the first women in the Nation to have such an integral role in the broadcasting business.

Over the years, many members of the Duhamel family were intimately involved in the day-to-day operations of KOTA and Duhamel Enterprises. Helen continued to serve as president and general manager of the station until 1976, when her son William F. Duhamel took over both positions. Bill Duhamel has served amiably and with the highest degree of professionalism and dedication for the past 35 years and shows no signs of slowing down. Bill grew up at his mother's side around the station learning the broadcasting and journalism professions, and he passed on that passion to his daughter Helene, who serves as a television anchor at the station, and other family members over the years who have been integrally involved in the family businesses.

As part of their celebration this year, Duhamel Enterprises has broadcast a daily reflection, going back to the same day in 1936 and providing listeners with recollections of local, state and national news items from that year. They are transferred in time and are reminded of local businesses, some that have long since shuttered while others remain vibrant and strong to this day. They are reminded of the cost of a gallon of milk or loaf of bread. The stories have rekindled great memories for listeners of all ages.

KOTA and Duhamel Broadcasting has won numerous awards for their broadcasting and journalistic excellence over the years. The Duhamel family and their family of employees have been very involved as well in community activities, most notably the KOTA Care and Share Food Drive, which has been organizing massive food and monetary donation drives to help feed the area's hungry for the past 27 years.

Over the years, Duhamel Enterprises has expanded broadcasting coverage to include the eastern half of Wyoming and the northwestern portion of Nebraska. The radio and broadcasting professionals at KOTA have been well-recognized and awarded for their excellence and many of the KOTA broadcasters were journalistic pioneers who helped foster and produce styles of news gathering and presentation styles envied by many young broadcasters.

I congratulate KOTA Radio and Duhamel Enterprises as well as Bill Duhamel, members of the Duhamel family and their broadcasting family on the occasion of the station's 75th anniversary, as well as their numerous contributions to the Rapid City and Black Hills communities through journalistic and broadcasting excellence as well as their community presence.•

RAPID CITY HARNEY LITTLE LEAGUE BASEBALL

• Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize and congratulate the Rapid City Harney All-Star Little League for their impressive teamwork and sportsmanship.

In the past 4 years, 2 other South Dakotan teams have earned their way into the Little League World Series. Like the teams that have gone before them, I believe the Harney All-Stars stand as strong examples of the very best this sport has to offer. These dedicated young athletes worked together as a team and exhibited the kind of sportsmanship that can serve as a model for every American, including professional athletes playing in the major leagues, to emulate. There is no doubt in my mind these young athletes played to the best of their abilities and truly had both the hearts and their heads in the game.

I offer my sincere appreciation to all of this year's exceptional team members: Tristan Deming, Justin Kraemer, Riley McSherry, Seth Brewer, Zach Solano, Cameron Fees, Madden Pikula, Erik Petry, Timmy Paris, Kyle Maguire, Hayden McGriff and Brett Beyer. I would also like to acknowledge Coach Kasey McGriff, who helped lead the Harney team to the Little League World Series.

These young people represented Rapid City and the State of South Dakota in an extraordinary fashion. While the final outcome of the Little League World Series was not what these young athletes had hoped for, their hard work and sportsmanship well represent the very best of South Dakota's values.•

TRIBUTE TO STAFF SERGEANT RAVEN S. TAYLOR

• Ms. MURKOWSKI. Mr. President, I speak today in honor of one of our Nation's finest, a member of the U.S. Air Force. I am pleased to announce that Raven S. Taylor was selected as one of 12 airmen who earned the award of Outstanding Airman of the Year, and I am proud to note that Raven earned this distinction while serving in the rank of senior airman at Eielson Air Force Base, AK. She has since been promoted to staff sergeant. This is an auspicious occasion and no small feat considering the 12 airmen were selected from an eligible pool of over 288,000 for their superior leadership, job performance, and personal achievement.

Raven is a native of Waycross, GA. She graduated with honors from Prince County High School and enlisted in the Air Force in 2007. After basic training and technical school as a aerospace medical technician, Alaska welcomed her to Eielson as her first duty assignment. Like many others who come to our State, Raven felt right at home, thriving in her job at the hospital and making meaningful contributions to the community. She oversaw some 650 preventive health assessments and supervised the infection control program, which achieved a flawless record of zero infections reported over 18,000 patient visits. Raven assisted with 20

minor surgeries and worked over 1,000 hours of ambulance service, where she was credited with helping to save the life of a gunshot victim. While at Eielson she found time to volunteer with the USO, Big Brothers Big Sisters, the Air Force Sergeants Association, and youth cheerleading. Add to this her work toward a bachelor's degree in nursing, and it is clear why she stood out from her peers for this prestigious award.

Excellence is contagious. Rewarding the best of the best motivates others in their own endeavors. In a time when our servicemembers are all volunteers, the professionalism and proficiency of the force is fueled by those within the ranks who lead by example and uphold the core values of their service. The example Raven set through her exceptional performance has undoubtedly been transmitted to countless other airmen she served with. Alaska is proud to have had her.

Alaskans take pride in treating our military better than any other State, and we like to think our support makes them better soldiers, airmen, sailors, marines, and coast guardsmen. We know they make us better. Our military members are a reassuring presence in our communities, and we hope our faithful patriotism reciprocates the inspiration we draw from theirs. Raven has recently been transferred to Yokota Air Base, Japan, but I trust she will fondly remember her time in Alaska. I congratulate Sergeant Taylor on her selection as one of the 12 Outstanding Airmen, I thank her for her service, and I look forward to hearing of her continued success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

FISCAL PLAN ENTITLED ''LIVING WITHIN OUR MEANS AND INVESTING IN THE FUTURE'' RECEIVED DURING ADJOURNMENT OF THE SENATE ON SEPTEMBER 19, 2011—PM 22

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 the Budget:

To The Congress of the United States:

This continues to be a time of challenge for our country. We face an economic crisis that has left millions of our neighbors jobless, and a political crisis that has made things worse. Millions of Americans are looking for work. Across our country, families are doing their best just to scrape by—giving up nights out with the family to save on gas or make the mortgage, or postponing retirement to send a child to college.

These men and women grew up with faith in an America where hard work and responsibility paid off. They believed in a country where everyone gets a fair shake and does their fair share; they believed that if you worked hard and played by the rules, you would be rewarded with a decent salary and good benefits. If you did the right thing, you could make it in America.

For decades now, Americans have watched that compact erode. They have seen the decks too often stacked against them. And they know that Washington has not always put their interests first. Too often, our Nation's capital has been consumed by partisanship. Too often, the needs of special interests or politics have been put ahead of what is best for the country.

That is what must change. The American people work hard to meet their responsibilities. Now, as the Nation faces an economy that is not growing and creating jobs as it should, so must its leaders. While the continued recovery of our economy will be driven by the businesses and workers across our land, policymakers in Washington can take steps to help Americans right now and set the most favorable conditions we can for growth and job creation for years to come. We can live within our means and invest for the future.

That is why last week I presented to the Congress and the American people the American Jobs Act, to provide a jolt to the economy and give companies confidence that if they invest and hire, there will be customers for their products and services. This jobs bill will put more people back to work and more money in the pockets of those who are working. It will create more jobs for construction workers, more jobs for teachers, more jobs for veterans, and more jobs for the long-term unemployed. It will provide a tax break for companies that hire new workers, and it will cut payroll taxes in half for every working American and every small business. It will create jobs for people to rebuild our aging infrastructure and repair and modernize at least 35,000 schools. Moreover, the proposals in the American Jobs Act are the kind of proposals that have been supported by Democrats and Republicans in the past.

I am committed to paying for this jobs bill. The Budget Control Act that I signed into law last month will cut annual Government spending by about $1 trillion over the next 10 years. It also charges the Joint Select Committee on Deficit Reduction with finding an additional $1.5 trillion in savings. As part of this jobs bill, I am asking the Congress to increase that amount so that it covers the full cost of the American Jobs Act. In addition, I believe that the Congress should seize the opportunity that this new Committee presents and do much more so that we can put the country on a sustainable fiscal path, which is critical for our long-term economic growth and competitiveness.

For this reason, I am sending to the Congress this detailed plan to pay for this jobs bill and realize more than $3 trillion in net deficit reduction over the next 10 years. Combined with the approximately $1 trillion in savings from the first part of the Budget Control Act, this would generate more than $4 trillion in deficit reduction over the next decade. This would bring the Nation to the point where current spending is no longer adding to our debt and where our debt is no longer increasing as a share of our economy—an important milestone on the way to restoring fiscal discipline and moving us toward balance.

This plan is a balanced one that asks everyone to do their part. It includes nearly $580 billion in cuts and reforms to mandatory programs of which $320 billion is savings from Federal health programs such as Medicare and Medicaid. These changes are necessary to maintain the promise of Medicare as we know it.

The plan also realizes more than $1 trillion in savings over the next 10 years from our drawdowns in Afghanistan and Iraq. And the plan calls for the Congress to undertake comprehensive tax reform that lowers tax rates, closes loopholes, boosts job creation here at home, cuts the deficit by $1.5 trillion, and observes the Buffett Rule—that people making more than $1 million a year should not pay a smaller share of their income in taxes than middle-class families pay.

To assist the Committee in its work, I also included specific tax loophole closers and measures to broaden the tax base. Together with the expiration of the high-income tax cuts from 2001 and 2003, these measures would be more than enough to reach this $1.5 trillion target. They include cutting tax preferences for high-income households, eliminating tax breaks for oil and gas companies, closing the carried interest loophole for investment fund managers, and eliminating benefits for those who use corporate jets.

In sum, the plan I am sending to the Congress today is a blueprint for how we can reduce this deficit, pay down our debt, and pay for the American Jobs Act in the process. I have little doubt that some of these proposals will not be popular with those who benefit from these affected programs. And some of these changes are ones that we would not make if it were not for our fiscal situation. But we are all in this together, and all of us must contribute

to getting our economy moving again and on a firm fiscal footing.

After all, we are all connected. No single individual built America on his or her own. We built it together. We have been, and always will be, ''one Nation, under God, indivisible, with liberty and justice for all.'' We have always been a people with responsibilities to ourselves and with responsibilities to one another. This means that as Americans work hard to find a job, keep their businesses afloat and grow, and provide for their kids, their representatives in Washington must meet their responsibilities and make the tough choices needed to get our economy back on track.

This plan lives up to a simple idea: as a Nation, we can live within our means while still making the investments we need to prosper. It follows a balanced approach: asking everyone to do their part, so no one has to bear all the burden. And it says that everyone—including millionaires and billionaires—has to pay their fair share.

These may be tough times for our country, but I have a deep faith in the American spirit, and we are tougher than the times we live in and bigger than the politics we have recently seen. If we all put partisanship aside and roll up our sleeves, I have no doubt that we can meet the challenges of the moment and show the world once again why the United States of America remains the greatest country on Earth.

BARACK OBAMA.

THE WHITE HOUSE, *September 19, 2011*.

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–3273. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pears Grown in Oregon and Washington; Assessment Rate Decrease for Fresh Pears'' (Doc. No. AMS–FV–11–0060; FV11–927–2 IR) received in the Office of the President of the Senate on September 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3274. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dried Prunes Produced in California; Decreased Assessment Rate'' (Doc. No. AMS–FV–11–0068; FV11–993–1 IR) received in the Office of the President of the Senate on September 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3275. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pears Grown in Oregon and Washington; Assessment Rate Decrease for Processed Pears'' (Doc. No. AMS–FV–0070; FV11–927–3 IR) received in the Office of the President of the Senate on September 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3276. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; Correction'' ((Doc. No. AMS–FV–10–0015C; FR) (RIN0581–AD03)) received in the Office of the President of the Senate on September 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3277. A communication from the Acting Administrator of the Cotton and Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports'' (Doc. No. AMS–CN–11–0026; CN–11–002) received in the Office of the President of the Senate on September 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3278. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program, Livestock Indemnity Program, and General Provisions for Supplemental Agricultural Disaster Assistance Programs'' (RIN0560–AH95) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3279. 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 ''Tetrachlorvinphos; Extension of Time-Limited Interim Pesticide Tolerances'' (FRL No. 8887–5) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3280. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a biennial report relative to the Food Emergency Response Network; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3281. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Updated Statements of Legal Authority for the Export Administration Regulations'' (RIN0694–AF34) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–3282. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–3283. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC–3284. A communication from the Director of Congressional Affairs, Office of the General Counsel, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Licenses, Certifications, and Approvals for Material Licenses'' (RIN3150–AI79) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Environment and Public Works.

EC–3285. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Notice of Availability of Proposed Models for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF–500, Revision 2, 'DC Electrical Rewrite—Update to TSTF–360' '' (NUREG–1430, –1431, –1432, –1433, –1434) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Environment and Public Works.

EC–3286. 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 ''Amendments to National Emission Standards for Hazardous Air Pollutants for Area Sources: Plating and Polishing'' (FRL No. 9466–1) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Environment and Public Works.

EC–3287. 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; Pennsylvania; Control of Particulate Matter Emissions from the Operation of Outdoor Wood-Fired Boilers'' (FRL No. 9468–4) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Environment and Public Works.

EC–3288. 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 ''Bacillus thuringiensis eCry3.1Ab Protein in Corn; Temporary Exemption From the Requirement of a Tolerance'' (FRL No. 8889–2) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Environment and Public Works.

EC–3289. 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 ''Final Withdrawal of Certain Federal Aquatic Life Water Quality Criteria Applicable to Wisconsin'' (FRL No. 9466–3) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Environment and Public Works.

EC–3290. 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 ''Oregon: Final Approval of State Underground Storage Tank Program'' (FRL No. 9465–3) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Environment and Public Works.

EC–3291. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Recovery Audit Contractors'' (RIN0938–AQ19) received in the Office of the President of the Senate on September 14, 2011; to the Committee on Finance.

EC–3292. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Due Dates for Estate Tax Return or Form 8939, Extension of Time to Pay Estate Tax, and Penalty Relief'' (Notice 2011–76) received in the Office of the

President of the Senate on September 19, 2011; to the Committee on Finance.

EC–3293. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tax Treatment of Employer Provided Cell Phones'' (Notice 2011–72) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Finance.

EC–3294. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC–3295. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items ((1) low rail contour tape laying machine, (2) filament winding machines, and (1) 20 inch jet mill) not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–3296. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items (6,000 kilograms of Carboxy Terminated Polybutadiene and other items) not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–3297. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items ((1) 8 micron master jet mill and other items) not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC–3298. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Rate Increase Disclosure and Review: Definitions of 'Individual Market' and 'Small Group Market' (CMS–9999–F)'' (RIN0938–AR26) received in the Office of the President of the Senate on September 14, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–3299. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Early Intervention Program for Infants and Toddlers with Disabilities'' (RIN1820–AB59) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–3300. A communication from the Director, Recruitment and Hiring/Hiring Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Noncompetitive Appointment of Certain Military Spouses'' (RIN3206–AM36) received in the Office of the President of the Senate on September 15, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–3301. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Georgia Advisory Committee; to the Committee on the Judiciary.

EC–3302. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Commonwealth of the Northern Mariana Islands Traditional Worker Classification'' (RIN1615–AB76) received in the Office of the President of the Senate on September 15, 2011; to the Committee on the Judiciary.

EC–3303. A communication from the Vice Chair, Federal Election Commission, transmitting, pursuant to law, the Commission's fiscal year 2013 budget request; to the Committee on Rules and Administration.

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 Mrs. BOXER:

S. 1574. A bill to designate certain Federal lands in San Diego County, California, as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Mr. CRAPO):

S. 1575. A bill to amend the Internal Revenue Code of 1986 to modify the depreciation recovery period for energy-efficient cool roof systems; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. KERRY, and Mr. NELSON of Florida):

S. 1576. A bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes; to the Committee on Foreign Relations.

By Mr. BAUCUS (for himself, Mr. HATCH, Mr. KERRY, Ms. SNOWE, Mr. WYDEN, Mr. CRAPO, Ms. STABENOW, Mr. CORNYN, Ms. CANTWELL, and Mr. MENENDEZ):

S. 1577. A bill to amend the Internal Revenue Code of 1986 to increase and make permanent the alternative simplified research credit, and for other purposes; to the Committee on Finance.

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

S. 1578. A bill to amend the Safe Drinking Water Act with respect to consumer confidence reports by community water systems; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself, Mr. KIRK, Mr. ROCKEFELLER, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 271. A resolution honoring the life and legacy of the Honorable Charles H. Percy, former Senator for the State of Illinois; considered and agreed to.

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. INOUYE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 50, a bill to strengthen Federal consumer product safety programs and activities with respect to commercially-marketed seafood by directing the Secretary of Commerce to coordinate with the Federal Trade Commission and other appropriate Federal agencies to strengthen and coordinate those programs and activities.

S. 119

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 119, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 170

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 170, a bill to provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac.

S. 409

At the request of Mr. SCHUMER, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 409, a bill to ban the sale of certain synthetic drugs.

S. 579

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 579, a bill to amend title 10, United States Code, to direct the Secretary of Defense to provide members of the Individual Ready Reserve, Individual Mobilization Augmentees, and inactive members of the National Guard who served in Afghanistan or Iraq with information on counseling to prevent suicide, and for other purposes.

S. 605

At the request of Mr. GRASSLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 605, a bill to amend the Controlled Substances Act to place synthetic drugs in Schedule I.

S. 633

At the request of Ms. CANTWELL, her name was added as a cosponsor of S.

633, a bill to prevent fraud in small business contracting, and for other purposes.

S. 839

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 839, a bill to ban the sale of certain synthetic drugs.

S. 960

At the request of Mr. KERRY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 960, a bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home.

S. 983

At the request of Mr. NELSON of Florida, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 983, a bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1219

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1219, a bill to require Federal agencies to assess the impact of Federal action on jobs and job opportunities, and for other purposes.

S. 1223

At the request of Mr. FRANKEN, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1223, a bill to address voluntary location tracking of electronic communications devices, and for other purposes.

S. 1285

At the request of Mr. KOHL, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1285, a bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for new qualified hybrid motor vehicles, and for other purposes.

S. 1299

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1299, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Lions Clubs International.

S. 1315

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1315, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers.

S. 1366

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to broaden the special rules for certain governmental plans under section 105(j) to include plans established by political subdivisions.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1472

At the request of Mrs. GILLIBRAND, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1472, a bill to impose sanctions on persons making certain investments that directly and significantly contribute to the enhancement of the ability of Syria to develop its petroleum resources, and for other purposes.

S. 1486

At the request of Mr. ROBERTS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1486, a bill to amend title XVIII of the Social Security Act to clarify and expand on criteria applicable to patient admission to and care furnished in long-term care hospitals participating in the Medicare program, and for other purposes.

S. 1495

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1495, a bill to amend the school dropout prevention program in the Elementary and Secondary Education Act of 1965.

S. 1512

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1512, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1514

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1514, a bill to authorize the President to award a gold medal on behalf of the Congress to Elouise Pepion Cobell, in recognition of her outstanding and enduring contributions to American Indians, Alaska Natives, and the Nation through her tireless pursuit of justice.

S. 1528

At the request of Mr. JOHANNS, the name of the Senator from Idaho (Mr. RISCH) 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. 1539

At the request of Mr. CORNYN, the names of the Senator from Arizona (Mr. KYL) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1539, a bill to provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China.

S. 1542

At the request of Mr. BAUCUS, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of 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.

S.J. RES. 19

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. RES. 248

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

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER:

S. 1574. A bill to designate certain Federal lands in San Diego County, California, as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. BOXER. Mr. President, I am proud to introduce the Beauty Mountain and Agua Tibia Wilderness Act of 2011. I am pleased to have worked with Representative DARRELL ISSA on this legislation.

My bill would add 13,635 acres to the Beauty Mountain Wilderness and 7,796 acres to the Agua Tibia Wilderness in northern San Diego County, preserving thousands of acres of natural habitat that are home to golden eagles, mountain lions, and other iconic species. The bill complements the Riverside County wilderness designations in the California Desert and Mountain Heritage Act, which I authored with Representative MARY BONO MACK and which was signed into law in 2009.

In addition to designating new wilderness, my bill would require the Bureau of Land Management to work

with The Conservation Fund to construct new recreational facilities at the Beauty Mountain Wilderness, promoting increased visitor access and enjoyment of this wonderful resource.

The proposed Beauty Mountain Wilderness additions in northern San Diego County serve as a vital biological corridor connecting the Palomar, San Jacinto, and Santa Rosa Mountains. With its captivating rock formations, rich chaparral, oak woodlands, and rolling hills, the name ''Beauty Mountain'' is only fitting to describe this area. These lands afford visitors many opportunities for recreation. The California Riding and Hiking Trail crosses the area, and during spring, aromas of sage, manzanita, and California lilac delight visitors.

The proposed Agua Tibia Wilderness additions span much of the scenic northern portion of the Palomar Mountain Range in the Cleveland National Forest. The landscape in this area is marked by deep canyons blanketed in coastal sage and chaparral. Seasonal streams wind through canyon valleys lined with willow, oak, and cottonwood trees, providing a cool haven for native species. Stately big cone Douglas firs and other conifers stand tall against the north-facing slopes of the area. The Cutca Trail passes through the wilderness for visitors to enjoy outdoor activities.

Protecting these areas is not only good for the environment, but also good for the economy. The Outdoor Industry Association estimates that outdoor recreation supports more than 400,000 jobs and contributes $46 billion annually to California's economy. Based on the models of Colorado State University resource economists John Loomis and Robert Richardson, the relatively modest wilderness additions in my bill could generate nearly $330,000 per year in local revenue.

That is why my bill has earned support from a diverse group of stakeholders, including the Cities of Oceanside, Perris and Vista; Chambers of Commerce in Canyon Lakes, Lake Elsinore, Murrieta, Oceanside, Temecula, Vista and Wildomar; Off-Road Business Association; American Motorcycle Association District 37 Dual Sport; California Wilderness Coalition; The Wilderness Society; The Conservation Alliance; San Diego Audubon Society; San Diego River Coalition; Friends of the Santa Margarita River; and Sierra Club Santa Margarita Group.

By permanently protecting these natural treasures, we can preserve important habitat and migratory corridors, ensure that future generations can come to visit these places to recreate and revel in their scenic beauty, and help stimulate the local tourism and recreation economy in San Diego County. I look forward to working with my colleagues to enact this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 271—HONORING THE LIFE AND LEGACY OF THE HONORABLE CHARLES H. PERCY, FORMER SENATOR FOR THE STATE OF ILLINOIS

Mr. DURBIN (for himself, Mr. KIRK, Mr. ROCKEFELLER, Mr. REID of Nevada, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, MR. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 271

Whereas the Honorable Charles H. Percy was born Sept 27, 1919, in Pensacola, Florida;

Whereas in 1949, at the age of 29, the Honorable Charles H. Percy became President of Bell & Howell, the youngest person to head a major corporation at that time;

Whereas the Honorable Charles H. Percy served in the United States Navy for 3 years during World War II, earning the rank of Lieutenant;

Whereas the Honorable Charles H. Percy was elected to the United States Senate in 1966 and served the people of the State of Illinois with distinction for nearly 20 years;

Whereas as a Senator, the Honorable Charles H. Percy implemented a system of consultation in the nomination process of Federal judges;

Whereas in 1973, the Honorable Charles H. Percy sponsored legislation (Senate Resolution 105) which called for a special prosecutor to investigate the Watergate scandal;

Whereas the Honorable Charles H. Percy founded and cochaired the Alliance to Save Energy, a nonprofit organization that promotes energy efficiency worldwide;

Whereas the Honorable Charles H. Percy served as Chairman of the Senate Foreign Relations Committee from 1981 through 1985;

Whereas the Honorable Charles H. Percy served as Chairman of the Board of Trustees at the Institute of International Education from 1985 until his death;

Whereas the Honorable Charles H. Percy showed humility in his work and respect for the responsibilities of government during his years of service to the United States; and

Whereas the Honorable Charles H. Percy passed away on September 17, 2011, and is survived by his wife Loraine Guyer, his children, Gail Percy, Mark Percy, Roger Percy, and Sharon Percy Rockefeller, wife of Senator Jay Rockefeller: Now, therefore, be it

Resolved, That the Senate—

(1) expresses profound sorrow at the death of the Honorable Charles H. Percy, former Senator for the State of Illinois;

(2) conveys the condolences of the Senate to the family of the Honorable Charles H. Percy;

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the House of Representatives and the family of the Honorable Charles H. Percy; and

(4) requests that when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Charles H. Percy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 623. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table.

SA 624. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 625. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 626. Mr. MCCONNELL (for himself, Mr. HATCH, Mr. JOHANNS, Mr. COATS, Mr. LUGAR, Mr. GRASSLEY, Mr. RUBIO, Mr. ROBERTS, Mr. THUNE, Mr. ENZI, Mr. PORTMAN, Mr. HOEVEN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 623. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

Strike title II and insert the following:

TITLE II—TRADE ADJUSTMENT ASSISTANCE

SEC. 201. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE.

Title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) (as in effect on the day before the date of the enactment of this Act and without regard to any substitution made by section 1893(b) of the Trade and Globalization Adjustment Assistance Act of 2009 (19 U.S.C. 2271 note prec.)) is amended—

(1) in section 245, by striking ''2007'' and inserting ''2017'';

(2) in section 246(b)(1), by striking ''the date that is 5 years'' and all that follows through ''State'' and inserting ''December 31, 2017'';

(3) in section 256(b), by striking ''each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning October 1, 2007'' and inserting ''each of fiscal years 2012 through 2017, and $4,000,000 for the 3-month period beginning October 1, 2017'';

(4) in section 285, by striking ''2007'' each place it appears and inserting ''2017''; and

(5) in section 298(a)—

(A) by striking ''2003 through 2007'' and inserting ''2012 through 2017''; and

(B) by striking ''October 1, 2007'' and inserting ''October 1, 2017''.

SA 624. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE ____—NORMAL TRADE RELATIONS TREATMENT FOR MOLDOVA

SEC. ____01. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO THE PRODUCTS OF MOLDOVA.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NONDISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that the denial of nondiscriminatory treatment should no longer apply to the products of Moldova; and

(2) after making a determination under paragraph (1) with respect to Moldova, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova.

(b) TERMINATION OF APPLICABILITY OF TITLE IV.—On and after the date on which the President extends nondiscriminatory treatment to the products of Moldova pursuant to subsection (a), title IV of the Trade Act of 1974 shall cease to apply to Moldova.

SA 625. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

Strike title II and insert the following:

TITLE II—TRADE ADJUSTMENT ASSISTANCE

SEC. 201. EXTENSION OF TRADE ADJUSTMENT ASSISTANCE.

Title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) (as in effect on the day before the date of the enactment of this Act and without regard to any substitution made by section 1893(b) of the Trade and Globalization Adjustment Assistance Act of 2009 (19 U.S.C. 2271 note prec.)) is amended—

(1) in section 245, by striking ''2007'' and inserting ''2014'';

(2) in section 246(b)(1), by striking ''the date that is 5 years'' and all that follows through ''State'' and inserting ''December 31, 2014'';

(3) in section 256(b), by striking ''each of fiscal years 2003 through 2007, and $4,000,000 for the 3-month period beginning October 1, 2007'' and inserting ''each of fiscal years 2012 through 2014, and $4,000,000 for the 3-month period beginning October 1, 2014'';

(4) in section 285, by striking ''2007'' each place it appears and inserting ''2014''; and

(5) in section 298(a)—

(A) by striking ''2003 through 2007'' and inserting ''2012 through 2014''; and

(B) by striking ''October 1, 2007'' and inserting ''October 1, 2014''.

SA 626. Mr. MCCONNELL (for himself, Mr. HATCH, Mr. JOHANNS, Mr. COATS, Mr. LUGAR, Mr. GRASSLEY, Mr. RUBIO, Mr. ROBERTS, Mr. THUNE, Mr. ENZI, Mr. PORTMAN, Mr. HOEVEN, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE III—TRADE PROMOTION AUTHORITY

SEC. 301. SHORT TITLE.

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

SEC. 302. RENEWAL OF TRADE PROMOTION AUTHORITY.

(a) IN GENERAL.—Section 2103 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803) is amended—

(1) in subsection (a)(1), by striking subparagraph (A) and inserting the following:

''(A) may enter into trade agreements with foreign countries—

''(i) on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013; or

''(ii) on and after June 1, 2013, and before December 31, 2013, if trade authorities procedures are extended under subsection (c); and'';

(2) in subsection (b)(1), by striking subparagraph (C) and inserting the following:

''(C) The President may enter into a trade agreement under this paragraph—

''(i) on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013; or

''(ii) on and after June 1, 2013, and before December 31, 2013, if trade authorities procedures are extended under subsection (c).''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''before July 1, 2005'' and inserting ''on and after the date of the enactment of the Creating American Jobs through Exports Act of 2011 and before June 1, 2013''; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''after June 30, 2005, and before July 1, 2007'' and inserting ''on or after June 1, 2013, and before December 31, 2013''; and

(II) in clause (ii), by striking ''July 1, 2005'' and inserting ''June 1, 2013'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking ''April 1, 2005'' and inserting ''March 1, 2013'';

(C) in paragraph (3)—

(i) in subparagraph (A), in the matter preceding clause (i), by striking ''June 1, 2005'' and inserting ''May 1, 2013''; and

(ii) in subparagraph (B)—

(I) by striking ''June 1, 2005'' and inserting ''May 1, 2013''; and

(II) by striking ''the date of enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''; and

(D) in paragraph (5), by striking ''June 30, 2005'' each place it appears and inserting ''May 31, 2013''.

(b) TREATMENT OF THE TRANS-PACIFIC PARTNERSHIP AGREEMENT AND CERTAIN OTHER AGREEMENTS.—Section 2106 of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3806) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking the comma at the end and inserting '', or'';

(B) by striking paragraphs (2), (3), and (4) and inserting the following:

''(2) establishes a Trans-Pacific Partnership,''; and

(C) in the flush text at the end, by striking ''the date of the enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''; and

(2) in subsection (b)(2), in the matter preceding subparagraph (A), by striking ''the enactment of this Act'' and inserting ''the date of the enactment of the Creating American Jobs through Exports Act of 2011''.

NOTICE OF INTENT TO OBJECT

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to the nomination of Norman L. Eisen to be ambassador to the Czech Republic at the Department of State, dated September 19, 2011.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, September 22, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled ''Tribal Law and Order Act One Year Later: Have We Improved Public Safety and Justice Throughout Indian Country?''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following members of my staff be granted floor privileges during the consideration of the Generalized System of Preferences Act: Jane Beard, Sarah Babcock, Danielle Fidler, Sara Harshman, Madeline Forbis, Laura Jaskierski, Stephen Simpson, and Jonathan Goldman.

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

APPOINTMENTS BY THE CHAIR

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, in consultation with the majority leader, pursuant to Public Law 68–541, as amended by Public Law 102–246, appoints Christopher G. Long of Delaware, vice John Kluge, and Kathleen L. Casey of Virginia, vice John Medveckis, as members of the Library of Congress Trust Fund Board for a term of 5 years.

HONORING THE LIFE OF THE HONORABLE CHARLES H. PERCY, FORMER SENATOR FROM ILLINOIS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 271, submitted earlier today.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 271) honoring the life and legacy of the Honorable Charles H. Percy, former Senator from the State of Illinois.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 271) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 271

Whereas the Honorable Charles H. Percy was born Sept 27, 1919, in Pensacola, Florida;

Whereas in 1949, at the age of 29, the Honorable Charles H. Percy became President of Bell & Howell, the youngest person to head a major corporation at that time;

Whereas the Honorable Charles H. Percy served in the United States Navy for 3 years during World War II, earning the rank of Lieutenant;

Whereas the Honorable Charles H. Percy was elected to the United States Senate in 1966 and served the people of the State of Illinois with distinction for nearly 20 years;

Whereas as a Senator, the Honorable Charles H. Percy implemented a system of consultation in the nomination process of Federal judges;

Whereas in 1973, the Honorable Charles H. Percy sponsored legislation (Senate Resolution 105) which called for a special prosecutor to investigate the Watergate scandal;

Whereas the Honorable Charles H. Percy founded and cochaired the Alliance to Save Energy, a nonprofit organization that promotes energy efficiency worldwide;

Whereas the Honorable Charles H. Percy served as Chairman of the Senate Foreign Relations Committee from 1981 through 1985;

Whereas the Honorable Charles H. Percy served as Chairman of the Board of Trustees at the Institute of International Education from 1985 until his death;

Whereas the Honorable Charles H. Percy showed humility in his work and respect for the responsibilities of government during his years of service to the United States; and

Whereas the Honorable Charles H. Percy passed away on September 17, 2011, and is survived by his wife Loraine Guyer, his children, Gail Percy, Mark Percy, Roger Percy, and Sharon Percy Rockefeller, wife of Senator Jay Rockefeller: Now, therefore, be it

Resolved, That the Senate—

(1) expresses profound sorrow at the death of the Honorable Charles H. Percy, former Senator for the State of Illinois;

(2) conveys the condolences of the Senate to the family of the Honorable Charles H. Percy;

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the House of Representatives and the family of the Honorable Charles H. Percy; and

(4) requests that when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Charles H. Percy.

ORDERS FOR TUESDAY, SEPTEMBER 20, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, September 20; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate adopt the motion to proceed to H.R. 2832, the GSP bill and the vehicle for Trade Adjustment Assistance; further, that the Senate recess from 12:30 until 2:15 p.m. for our weekly caucus meetings.

Finally, I ask unanimous consent that Senator HELLER be recognized at 2:30 p.m. for up to 20 minutes as in morning business to deliver his maiden speech as a U.S. Senator.

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

PROGRAM

Mr. REID. Mr. President, tomorrow we will begin consideration of the GSP and Trade Adjustment Assistance bill. We will work on amendments to the bill and notify Senators when votes are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 271, as a further mark of respect to the memory of the late Senator Charles Percy of Illinois.

There being no objection, the Senate, at 6:35 p.m., adjourned until Tuesday, September 20, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED NATIONS

ANN MARIE BUERKLE, OF NEW YORK, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

RUSS CARNAHAN, OF MISSOURI, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601; AND TO BE A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

To be lieutenant general

MAJ. GEN. TERRY A. WOLFF