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Senate

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

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

Let us pray.

Gracious Lord, whose glory has been revealed through the generations, renew within our Senators a true understanding of Your purpose for their lives, for our Nation, and for our world. Amid the challenges of our time, infuse them with a spirit of wisdom and courage so that they will be instruments of Your providence. Lord, use them to make an impact on the lives of the forgotten who lack hope and on all people who seek Your presence. May Your grace, mercy, and peace be on us all now and stay with each one of us always.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 12, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLI-

BRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will begin consideration of the free-trade agreements. There are three of them. There will be up to 12 hours of debate on these matters. The Senate will have its normal recess from 12:30 p.m. until 2:15 p.m. today for our caucus meetings. We expect to yield back some of the time—I certainly hope so—on the trade agreements, although people can speak as much as they want on these matters. But we are going to complete the action tonight. Whether it is at 4 o'clock or midnight, we are going to complete action on these bills today. The House is awaiting our action.

MEASURE PLACED ON THE CALENDAR—H.R. 2681

Mr. REID. Madam President, H.R. 2681 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (H.R. 2681) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes.

Mr. REID. Madam President, I would object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar under rule XIV.

AMERICAN JOBS ACT

Mr. REID. Madam President, Republican obstructionism was once again in evidence last night, and it has cost this Nation millions of jobs.

Last night, Republicans blocked the American Jobs Act, President Obama's plan to create 2 million jobs by giving tax cuts to businesses and middle-class families and investing in modern roads, bridges, and schools.

It is not the first jobs bill they have blocked this Congress, although I hope it will be the last. But it seems as if the Republicans do not really want to put Americans back to work. They believe a weak economy means a weak President. So even though they have supported each piece of the American Jobs Act in the past, they blocked this job-creating legislation in the hopes of doing political damage to the President.

But we have not given up on creating jobs in America, and we will not let Republican political games stand between Congress's most important duty: to put 14 million Americans back to work.

Passing the American Jobs Act would have been a step in the right direction. Economists of every stripe agree it would have impacted the economy immediately and put up to 2 million people back to work.

Mark Zandi, chief economist at Moody's and economic adviser to Senator JOHN MCCAIN's Presidential campaign said this:

Given the high odds of another recession in the next few months, it is vital for Congress and the administration to provide some near-term support to the economy.

Zandi says the American Jobs Act could shave a percentage point off the unemployment rate. Conversely, he warned that without immediate action

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



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the likelihood is high of a double-dip recession. So the last thing we should be doing right now is wasting time, but that is what Republicans are forcing us to do.

Last night, a majority of the Senate voted to take up this bill. But Republicans will not put politics aside for a moment, even when the price of their stubbornness is struggling families and failing businesses.

I say it again: Democrats are not going to give up on creating jobs. We will introduce the American Jobs Act piece by piece.

I had two conversations last night while the vote was taking place with Republicans, and both Republican Senators said they would like to join in moving some pieces of this legislation. So we are going to do that, and I am glad to see there is some interest by my Republican colleagues in doing that.

Many of the ideas we will advance will be proposals Republicans have supported in the past, as I have already indicated. I think they will have to explain to the American people—at a time of record unemployment—why they continue to oppose job-creating tax cuts for small businesses and the middle class and other proposals they have supported in the past. So, as I said a minute ago, I look forward to working with my Republican colleagues in moving forward parts of this bill they like. At the end of the day, if they do not do this, their motive will be crystal clear: politics.

So I hope Republicans will be able to see past partisan posturing to support their own past proposals when we consider them individually in the next few weeks.

Take, for example, the payroll tax cut. My friend, the Republican leader, has supported payroll tax cuts in the past. Most Republicans have. This is what my friend, the Republican leader, said about the same tax cut in 2009. I quote:

It would put a lot of money back in the hands of businesses and in the hands of individuals. . . . Republicans, generally speaking, from Maine to Mississippi, like tax relief.

So that is part of the American Jobs Act.

Another Republican Senator sponsored a bill to give tax credits to businesses that hire out-of-work veterans. Yet that same Republican Senator voted against the same proposal last night. It was part of the bill last night.

Republicans have supported these proposals in the past. They should have supported them yesterday. But Democrats care so much about creating jobs that we will give our Republican colleagues another opportunity to do the right thing, and we will move forward in the best way we can to put these matters before the American people, if necessary, piece by piece.

TRADE AGREEMENTS

Mr. REID. Madam President, we have worked hard to be in the posture we

are in today to have votes on these trade bills. My friend, the Republican leader, has heard me say this too much, but I do not favor these bills. But a majority of this Senate does, and I believed it was important we move these forward. I have worked with the Republican leader to do it today. I think it is important to do it today. We have the President of Korea here in America. He is going to speak to a joint meeting of Congress tomorrow. I look forward to a very productive day in moving these matters forward.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE JOBS BILL

Mr. McCONNELL. Madam President, before my friend, the majority leader, leaves the floor, let me remind him and our Senate colleagues and the American people that Republicans were prepared to vote on the President's second version of the stimulus bill last night. In fact, I offered a unanimous consent that we have that vote—not the motion to proceed to it but the actual vote. I am not going to renew that request at the moment but just would say to my friend, we are happy to have that vote. We were happy to have it last night.

With regard to the pieces of it, my friend is correct; some of the pieces of this second stimulus might well be appropriate. I have recommended to the joint select committee—that he and I appointed 50 percent of—that they take a look at some of the pieces of it which could well be included in a product we are going to get before Thanksgiving before the Senate and the House.

So, again, we would be happy to vote on the entire package. We were happy to do it last night and also happy to look at pieces of it. We do have, as the majority leader and I have discussed before, important work to do in the Senate. We have the trade agreements we are going to approve tonight. We have three appropriations bills we are going to go to after that—the basic work of government, which we have not done in the last few years, the American people would like to see us do. We also have a joint select committee set up that could look at parts of the proposal to which the majority leader is referring. So I have some optimism that we will be able to come together on pieces of it that we think make sense.

I will say that as far as I know, there is not a single Republican who thinks it is a good idea to raise taxes on over 300,000 business owners, which is what would happen under the so-called millionaires' surtax. So there are parts of it we very much disagree with. We have divided government. Neither party controls the entire government. We will only be able to pass those things we do

agree on. I think there are parts of the package my friend refers to that could well be agreed to at some point this year on a bipartisan basis.

FREE-TRADE AGREEMENTS

Mr. McCONNELL. Madam President, later today the Senate will show that Democrats and Republicans can, in fact, work together to make it easier for American businesses to create jobs.

By passing free-trade agreements with Colombia, Panama, and South Korea, we will help the economy, and we will put the lie to the ridiculous Obama campaign claim that Republicans are somehow rooting against the economy. Nothing could be more ridiculous and absurd as to suggest that Republicans are somehow rooting against our economy.

In fact, if President Obama were willing to work with us on a more bipartisan piece of legislation, nobody would even be talking about a dysfunctional Congress. There would not be any reason to.

But, as we all know, that does not fit in with the President's election strategy. The White House has made it clear that the President is praying for gridlock—he is actually hoping for gridlock—so he has somebody besides himself to point the finger at next November.

That is a big mistake. The American people will not tolerate their own President putting politics ahead of working with Congress on the kind of bipartisan legislation that we know both parties could agree on right now.

So this morning I would like to repeat my call to the President to put the political playbook aside and work with us instead on the kind of bipartisan, job-creating legislation the American people truly want.

The trade bills we will be voting on tonight are a good start. There is no reason we should have had to wait nearly 3 years for this President to send them to Congress for a vote, but they are a good start nonetheless—3 years late but still very important to do.

Now let's move on to some other things. We have pointed to areas such as regulatory reform, tax reform, and energy exploration where the parties could help create jobs without raising taxes or adding to the deficit.

It is just the kind of bipartisan cooperation that the American people are actually demanding from us, and what I am saying this morning is that Republicans are eager and willing to join Democrats in making that happen.

The Presidential election, for goodness' sake, is 13 months away; 13 months from now is the Presidential election. There is plenty of time to campaign. Why don't we put that off for a while and do what we were sent here to do?

But right now we have an opportunity to work together. Let's put aside the political playbook and focus

on results. I know that does not come easy for some around here. The senior Senator from New York, for example, made it pretty clear yesterday that he is more interested in drawing a contrast with Republicans than he is in actually passing bipartisan legislation that we know will spur job growth. But I do not believe the 14 million Americans looking for work right now care more about contrast than about jobs. The jobs crisis we are in calls for lawmakers to rise above these games.

Americans expect us to do something to help create jobs. That is what we should be doing. That is why Republicans will continue to seek to find Democrats who are more interested in jobs than in political posturing and work with them on bipartisan legislation such as the trade bills we will vote on tonight.

What we will not do, though, is vote in favor of any more misguided stimulus bills because some bill writer slapped the word "jobs" on the cover page. The stimulus bill with the word "jobs" slapped on the cover page and wrapped around a talking-point tax hike is not our idea of what is good for America. We refuse to raise taxes on the very people Americans are depending on to create jobs. We need to be looking for ways to make it easier to create jobs, not harder.

For nearly 3 years, Republicans have told Democrats again and again that we are willing and eager to work with the Democrats anywhere, anytime, on real job-promoting legislation on which both sides could agree.

I have been calling on the President to approve these three free-trade agreements since the day he took the oath of office. All the President had to do was to follow through on these agreements and send them up to Congress, and we would have had an early bipartisan achievement that did not add a single dime to the deficit, that would have convinced people the two sides could work together, and that by the President's own assessment created tens of thousands of jobs right here at home. But he did not. The President chose to push a highly partisan stimulus bill instead that the administration said would keep unemployment below 8 percent. We all know how that turned out. Nearly 3 years later, the only thing left is the nearly \$1 trillion it added to the debt and the government programs it created. As for jobs, well, unemployment has been above 8 percent for 32 months straight, and according to the Labor Department, there are now 1.5 million fewer jobs than there were then.

It is time to try something different. Republicans have proposed a number of ideas that would not only represent a change in direction but would also attract broad bipartisan support. There is no good reason whatsoever for the President and Democrats in Congress to prevent us from doing these things. As I see it, the President actually has a choice: He can spend the next 13

months trying to get Republicans to vote against legislation which will not create sustainable private sector jobs and which is designed to fail in Congress or he can work with us on legislation that will actually encourage small businesses to create jobs and is actually designed to pass.

There is an entire menu of bipartisan job-promoting proposals the President could choose to pursue over the next year. Republicans hope he works with us to approve them. Americans are waiting. We are ready to act. The free-trade agreements we are voting on tonight are a good first step. They demonstrate the way Washington can actually help tackle the jobs crisis, not by spending borrowed money to create temporary jobs—spending borrowed money to create temporary jobs. We have tried that. This will lower barriers to private enterprise, unleashing the power of the private sector to make and sell products, expand market share, and in doing so create sustainable private sector jobs that will not disappear when the Federal cash spigot runs dry. But if we are going to tackle the enormous challenges we face, we need to do much more than that. With these trade agreements, we are showing we can work together to create jobs and help the economy. We can and must do more of this kind of thing.

I yield the floor.

RESERVATION OF LEADER TIME

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

UNITED STATES-KOREA FREE TRADE AGREEMENT IMPLEMENTATION ACT

UNITED STATES-PANAMA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT

UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will consider H.R. 3080, H.R. 3079, and H.R. 3078 en bloc, notwithstanding the lack of receipt of papers from the House of Representatives.

Under the previous order, there will be up to 12 hours of debate, with the time equally divided and controlled between the two leaders or their designees.

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

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

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

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

Mr. JOHANNIS. Madam President, I come to the floor today—thankfully for the last time, I hope—in support of the pending free-trade agreements with Korea, Panama, and Colombia. For nearly 3 years we have heard the administration say the right things. Yet there were countless delays. It has been 1,566 days since the U.S.-Korea Free Trade Agreement was signed, 1,568 days for the Panama agreement, and 1,786 days since we completed negotiations with Colombia. Finally, though, I believe the waiting has ended, and the administration took action and has submitted these agreements for a vote. I am eager to vote for all three FTAs this evening and to see their job-creating power in action. By the administration's own estimates, these agreements will spur a quarter of a million new jobs.

We should all be able to agree that the benefits of trade are significant. In my home State of Nebraska alone, more than 19,000 jobs and more than \$5.5 billion in revenue were directly tied to exports in this last year. With these agreements, these statistics will only improve. Nebraska is a big agricultural State, and these three agreements eliminate tariffs and other barriers on most agricultural products, including beef, corn, soybeans, and pork—all products grown in Nebraska. In fact, according to the Farm Bureau and economic analysis from the USDA, full implementation of those agreements will result in nearly \$2.5 billion increases in U.S. agricultural exports each year. In Nebraska, this increase in agricultural exports is expected to total about \$125 million per year and add another 1,100 jobs to our State.

The benefits for my home State are not hard to see. In fact, they would be hard to miss. As the Nation's fourth largest exporter of feed grain and a key beef State, the U.S.-Korea agreement holds great opportunity and promise for Nebraska. It immediately eliminates duties on nearly two-thirds of U.S. agricultural exports to Korea. U.S. exports of corn for feed enter at zero duty—zero duty immediately. For the second largest corn State, that is a significant leveling of the playing field. And it phases out the 40-percent tariff on beef muscle meat and the 18-percent tariff on variety meats.

The Colombia agreement offers great opportunities to both manufacturing and the agricultural sector. Just one example: Nebraska manufactures and exports irrigation pivots to customers all over the world. Currently Colombia imposes a 15-percent duty on pivots, which would be eliminated by this trade agreement. This will allow Nebraska manufacturers to compete on a level playing field with European companies.

The Colombia agreement also eliminates barriers for many Nebraska agricultural products, including beef, corn, soybeans, pork, and wheat. In particular, the agreement immediately eliminates the 80-percent duty on some

of the most important products to the U.S. beef industry—prime and choice cuts of meat. The Colombia agreement eliminates all tariffs on wheat and barriers on corn and on soybeans.

Unfortunately, during these years of delay I referenced at the start of my comments this morning, negotiators for other countries saw an opportunity. Negotiators from the European Union, Argentina, and Canada saw the void the U.S. companies, workers, and farmers should have been filling, and they acted. As a result, our exporters now face even greater competition in these markets. For example, when the U.S.-Colombia agreement was signed, American wheat farmers supplied 70 percent of the Colombian market. In 2010, U.S. wheat growers supplied only 45 percent of that market. During that time, the United States lost market share in Colombia to competitors such as Argentina and Canada that did not wait on the sidelines, and now they enjoy duty-free access. Because of unnecessary delays, our farmers have lost out in markets they dominated when this agreement was signed. But if we act quickly, if we pass these agreements tonight, U.S. producers can work to build back market share.

I am confident that Nebraska farmers, businesses, workers, and those around the country can compete with anybody in the world, and in doing so we can create jobs here at home. By the administration's estimates, the Korea, Colombia and Panama Free Trade Agreements will create, as I have referenced, 250,000 U.S. jobs. The U.S. Chamber of Commerce took a broader view; they have an estimate of 380,000 jobs to be created. But either number is worth celebrating.

In May, the President called for "a robust, forward-looking trade agenda that emphasizes exports and domestic job growth." I am glad the President has turned these words into action on these long overdue job-creating agreements. These three bipartisan votes should have been near the top of the agenda 3 years ago. By now, we should be voting on new agreements this administration has negotiated, not the leftover work of the past administration.

During the challenging economic times our Nation has endured, we should have been exerting every ounce of energy to get our economy going. That is not done by heavyhanded government regulation and massive, unsustainable new government spending. It is accomplished by lowering and removing barriers so our job creators can flourish in a global environment. That is what we have today—an opportunity to give our job creators a chance to flourish in the global environment. We cannot ignore that the fastest growing opportunities for American businesses, farms, and ranchers are not in the United States or outside our borders, they are overseas in rapidly developing countries where 95 percent of the world's population lives.

I sincerely hope those long delays have not hurt our ability to negotiate high-quality trade agreements, but more importantly, I hope it has not hurt the ability of Americans to compete in these growing markets.

I look forward to working with the administration over the rest of this Congress on forward-looking trade efforts. Real progress forward would produce even more opportunities.

I am optimistic this morning. I am optimistic that my colleagues on both sides of the aisle will join me in voting in favor of the trade agreements with Korea, Panama, and Colombia. Together, we can allow hard-working Americans to create jobs here at home.

I hope these three agreements are the beginning, not the end.

Following today's vote, we should rejoice in an accomplishment, but more work remains to be done. I am prepared to tackle this endeavor, as I did when I was Secretary of Agriculture. For the sake of our Nation, I hope to find willing partners on these three votes and, in the future, more trade agreements and additional opportunities.

Before yielding the floor, I ask unanimous consent that all time during the quorum calls be divided equally.

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

Mr. JOHANNIS. I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. CARPER. Madam President, I was on the phone earlier this week with a friend in Delaware. We were talking about these free-trade agreements negotiated by the Bush administration and fine-tuned by the Obama administration. My friend said: Why do we have free-trade agreements anyway? I said: Let's go back a little bit in time. At the end of World War II, when the baby boomers and my sister and I came along, the United States was on top of the world. Our industrial infrastructure was strong. We were a vibrant economy. We had come out of the Great Depression with all guns blazing, while a lot of the rest of the world lay in ruin. Some of the nations that would go on to become our greatest competitors, including China, Korea, and some others as well, were in the midst of wars of their own, and eventually they would be governed—at least in part in Korea—by a Communist form of government. So the competition wasn't that great.

Then things started to change. The competition got a whole lot stronger. I remember when I was a kid growing up, at Christmas time we were opening presents around the Christmas tree. I

grew up in Danville, VA. We received a knickknack or something from friends of our family, and my father turned it over and it said "Made in Japan." He and my mom kind of sneered at that, as if it were unworthy of us—anything being made in Japan.

Things have changed—in some ways for the better and in other ways maybe not. For a long time, we were the 800-pound gorilla in the room. In terms of auto sales, I think we had about 90 percent of the market share in the United States—maybe more than that—well into the latter part of the last century. Now we don't. Our market share in cars is less than 50 percent. The quality is good, but the market share is less. If we look at the amount of cars that come to us from Korea, they will roughly export 500,000 vehicles to the United States this year, as they did last year and will next year. We will export barely 5,000 cars to them. Think about that. Roughly, for every 1 American car we sell them, they sell us about 100. That is not free trade. As it turns out, it is not fair trade either. They don't put tariffs on their cars. They have nontariff barriers—a very clever way to keep our vehicles out. It could have to do with the environmental equipment on the car, the fuel system, transmissions, you name it. They find all kinds of ways to keep our vehicles out. We don't do that or play that game. They take advantage of that.

We wish to sell in a place such as Panama. In this country, a lot of people like the white meat of the chicken. Overseas, a lot of people eat the dark meat. It is an opportunity to export the dark meat for us. If we want to export leg quarters, drumsticks, and thighs in Panama, normally, a package of leg quarters costs \$10 here, and there is a 260-percent tariff for those leg quarters going into Panama. They have to pay \$36. I don't know what that translates into pesos, but they pay \$36 for \$10 worth of chicken.

We allow other countries, whether it is Korea, Panama, Colombia or many other nations, to sell their goods and products at will into our country, without much at all in the way of barriers, without impediment, without tariff barriers or nontariff barriers. But they impose barriers against us. The reason why flows from the situation we were in at the end of World War II, when we were such an economic juggernaut. Other countries wanted to protect their markets a little bit from the 800-pound gorilla in the world, which was us.

While we are still a strong and vibrant nation, we no longer dominate world markets. We want to make sure we have access to other markets in ways we have not had in recent years in some countries.

I would like to think of one of the roles of government, and one of the major roles of government, is to provide a nurturing environment for job creation and job preservation. That includes a lot of things. That includes

making sure businesses, large and small, have access to the credit; it means that when folks come up with an idea, we have an innovative economy and a lot of technology; when people come up with new technology and new ideas, they go to the Patent Office to file it and they end up getting the patent and they don't end up in years of litigation.

Businesses like predictability, and that is part of the environment we need to provide. We need to provide a workforce where the people can come out of our schools and can read, write, think, do math, and have a good work ethic. We have to have common sense in regulations. Obviously, we need regulations, and we need to consider cost-benefit relations. As we do those regulations, we can get input from all sides.

We need predictable tax policies—tax policies that are progrowth. We also need access to foreign markets. Folks who build products in this country need access to foreign markets. In too many cases, we don't have that. These trade agreements are attempting to change that. Very soon, for that family in Panama who has to pay \$36 for the same amount of drumsticks and thighs that now cost \$10 here, that is going to change. We are going to start exporting and selling cars in Korea. They will still be able to sell theirs here, but we will sell tens of thousands of cars in Korea in a year or two.

In my State, we used to make a lot of cars. We had a GM plant and a Chrysler plant. They are now gone. But starting next year, a new plant will start up, and they will make some of the most beautiful cars in the world. Some are already being made, called the Karma. It gets about 70 miles per gallon. It is a drop-dead beautiful vehicle. Starting late next year, they will be making it a less-expensive car. We want to make sure they use our Port of Wilmington to ship those cars around the world. It would be nice to sell some of those in Korea or in Latin America and South America, as well as in Europe.

For my State, 80 percent of our agricultural industry, believe it or not, is chickens. I don't know what it is like in Iowa or in Florida or New York, but 80 percent of ours is chickens. Agriculture is one of the top three sectors of our State's economy—80 percent chickens. One out of every five chickens we raise in the Delmarva Peninsula is exported to another country. This is not chickenfeed; this is a big deal for us in Delaware.

This is important for our ability to export vehicles, our ability to export chemicals, plastics, poultry, and the ability for us to export some of our services—the work we do in financial services with banking or insurance. A lot of those companies would like to be able to do business in Korea or Latin America. This legislation will enable them to do that.

I think a lot of people will vote for the agreements today with Panama and with South Korea. Even some of

the labor unions—the UAW and others—support the South Korea agreement. There is still skepticism and concern, understandably, regarding the agreement with Colombia. As everybody in the Chamber knows, and a lot of people in this country know, for years, labor leaders, organizers have been the target of assassinations in Colombia. According to the Colombians, in 2001, I believe there were about 205 assassinations in that 1 year alone in Colombia. The numbers are a little bit confusing because that includes folks who are not necessarily labor organizers but who are educators and maybe members of labor unions—205 people in 1 year. Can you imagine in this country if 205 labor leaders, organizers, and teachers were murdered in a year? That is a much smaller country than ours. The numbers have come down.

In one of our conversations yesterday with some labor unions in Delaware, one shared the latest number reported by the Colombian Government; I think it was 22 in the early part of this month. That is 22 too many. About half those folks killed were teachers who have been targeted by criminal elements and drug folks, drug gangs, because of the threat that teachers and educators pose to the ability of the drug folks to destabilize that country. So they are targets as well.

The Colombian Government has provided almost like a witness protection service down there, but it is somewhat different. They don't take people and change their identities and move them and hide them. They actually provide extra protection for folks who are believed to be at risk. That caused a reduction of almost 90 percent in the assassinations over the last decade. Even if it is just one or two, we know that is too many.

The question for us is, Do we ignore the progress or do we say, no, we are not going to ratify a free-trade agreement with Colombia until there are no assassinations? We have a saying: Don't let the perfect be the enemy of the good. That may trivialize this particular argument, and I would not suggest that is the standard we should use. But substantial progress has been made. We have embedded in that trade agreement environmental provisions, labor provisions, that are now part of the agreement. We have done the same with Panama and Korea. There is an implementation schedule that the government is expected to follow and has been followed. It has been certified by the President. They are taking the steps they are supposed to be taking in order to further reduce the level of violence. Overall, rather extraordinary progress has been made in Colombia.

A friend of mine who works there in the Embassy described to me the difference is between night and day.

It wasn't all that long ago when gunmen rounded up 11 supreme court justices in Colombia and took them into a room and shot them all dead. We know

it is not just teachers or labor leaders who are being targeted for assassination and have been targeted but people at the highest levels of that country's government—government leaders, people who run for office, officeholders, law enforcement officers, judges, all kinds of people.

For the most part, it has changed. It is a lot better. The question is, Do we reward the improvement made or do we say, no, that is not enough, come back when you are pristine clean, pristine pure? For me, it is one I wrestled with and others have as well. I think, in this case, we can vote with our hopes, and our hope and expectation is that this progress has been realized and will continue.

There is one last thing I wish to mention before I finish.

Any number of folks have said to me: You know, NAFTA didn't help us all that much—Mexico and Canada—and so how do we know these trade agreements will help us? We learned some things from NAFTA. One of the things we learned is if we have environmental concerns, we ought to embed in the agreement the rest of those environmental concerns—actually addressing them in the treaty. We have done that with all these nations. We have done the same thing with respect to labor provisions. They are actually embedded in the agreement.

The other thing I have said to folks who are concerned this isn't in our best interest and it will not help us economically, I don't agree with that. But think about this. To say this is not going to help us is counterintuitive. Think about it. We allow these countries to sell their goods and services in our country without impediment. We don't keep them out. We don't impose, for the most part, tariff or nontariff barriers. But if we want to sell our goods and services there, they impose these barriers—tariff or nontariff barriers. Under a free-trade agreement, the barriers that others put up to keep our goods and services out pretty much go away and in some cases pretty fast.

It is hard for me to say: Well, if we are going to let them ship their goods and services to us—continue to—and they are going to eliminate their tariff and nontariff barriers, why shouldn't we do better? We will do better. We make great chicken, we build great cars, have great chemical products, and excellent financial services. Those products will sell and we will be able to grow our economy.

The last problem is this. For us to come out of this recession—and we have come out of the recession officially, but there is still a lot of hurt and pain all over the place, including in my own State, but for us to come out of it, we need to grow the economy—we need to grow the economy—and we need to grow it across the world. We make any number of products in this country. Some are products—cars, chickens, chemicals, plastics—and others are services. They are

as good as any in the world. We want to make sure we have access to sell them anywhere in the world, including these three countries. Their consumers will be better off and our producers and our businesses will be better off. That is why I am happy to support these agreements.

The last thing I want to do is to acknowledge the excellent leadership Senator BAUCUS has provided for us. Senator GRASSLEY is on the floor, and I know these are issues he cares a lot about. The partnership he and Senator BAUCUS have had over the years is a model for the Senate.

They are not on the floor now, but I also want to mention Senator BLUNT and Senator PORTMAN, two of our Republican colleagues, who joined with me to make sure at the end of the day we didn't just vote for three free-trade agreements but we also had the opportunity to vote and put in place trade adjustment assistance to ensure those workers in this country who might be negatively affected or displaced would have the opportunity to get unemployment compensation and have the opportunity to get job training so they will be treated fairly as well. It is the personification of the Golden Rule: Treat other people the way we want to be treated.

So we have succeeded in not just passing three free-trade agreements, which I think will help our economy overall, but we will also look out for the people who might be adversely affected. So I want to thank Senator GRASSLEY and the other Republicans who provided the support to make that happen too. And again to Senator BAUCUS: A job well done.

Madam President, I thank the Chair, and I yield the floor to anyone else who is here and wants to speak at this time.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Well, can you believe it, we are finally here. After several years of waiting for these trade agreements to come to the Congress, it looks as though we are going to be able to vote on them, pass them, and send them to the President for his signature, and they will become law.

Quite frankly, I thought soon after May 10, 2007, we would be voting on the Colombia trade agreement because President Bush was anxious to send it to the Hill. But the Democrats took over the Congress after the 2006 election, and the way it was negotiated by the Bush administration wasn't good enough. There wasn't enough negotiation to go far enough on labor and environment, so the new Democratic-controlled Congress said we have to do more on those negotiations for environment and labor.

So more was renegotiated, and on May 10, 2007, there was a news conference announcing a bipartisan result between the Bush administration and the Democratic Congress on an agreement with Colombia on better environment and labor issues that had been

reached. So a bipartisan agreement, particularly when you have a Democratic Congress and a Republican President, you would have expected that right away we would be having at least Colombia up here. At that time, South Korea wasn't completely negotiated. But the other party turned into a protectionist party and so nothing has happened until now. The goalposts have been moved several times, but the free trade reality of creating jobs has come back to the other political party. So I am glad we are here at last, even though it may be 4 years late. We are doing the right thing, even though it is being done later than it should have been done.

Everybody knows that every day in this Congress, and rightly so, with 9.1 percent unemployment, the topic is jobs. And that is as it should be. The question gets asked a lot: What policies can we implement here in the Congress to create jobs or at least to encourage jobs. With over 9 percent unemployment in this country, we should, in fact, be talking about how to have an environment that creates jobs, and freeing up trade is one of the best ways to create jobs. These aren't just creating jobs, these are good-paying jobs. On average, jobs related to international trade pay 15 percent above the national average.

The truth is for years we have known one clear and simple way to create jobs and stimulate growth in our economy, and that is international trade. The Colombia, South Korea, and Panama trade agreements will create and support thousands of jobs, and I believe even hundreds of thousands of jobs. So we must implement the trade deals reached with Panama, South Korea, and Colombia, and we must do it today, even though it should have been done, in the case of South Korea, a year ago and in the case of Panama and Colombia 3 or 4 years ago.

We entered into these agreements back in 2006 and 2007, and there is no excuse why we have had to wait nearly 5 years—until now—to get to them. Yet congressional Democrats, and later President Obama, continued to move the goalposts, putting up barriers that prevented their consideration and passage until this day. There is no clearer or easier way of creating jobs in the near term, and good jobs lasting for a long period of time, than passing these trade bills and doing it now. Thank God the President has said he would sign them.

According to the National Association of Manufacturers, 100,000 jobs will be created by the implementation of these trade agreements. There are estimates from other sources that suggest the number of jobs may be even higher. The administration—and I believe rightly so—believes that the higher number of jobs being created would be in the few hundred thousand. The Obama administration estimates in the case of the Korea trade agreement alone 70,000 additional jobs for the U.S. workforce will be created.

Not only do these trade agreements expand opportunities for U.S. workers, they also present tremendous opportunities for American agriculture. It is estimated that the Korean agreement could increase the price farmers receive for pigs by \$10 per head. So you see in the case of Delaware, where Senator CARPER says it is good for his poultry industry because that is so dominant there, where larger livestock is so dominant in the Midwest, in my State of Iowa, it is going to be a very good agreement as well.

The Colombian agreement will level the playing field for U.S. corn farmers so they can begin to reclaim some of the market share they lost due to high tariffs for our products going down there. We have lost markets not just because of the high tariffs but because Colombia, in the last 5 years, has reached agreements with other countries that have allowed those countries, through their agricultural products—particularly grain—to take over the share of the Colombian market that American agriculture previously had.

The agreement with the country of Panama will bring about better opportunities for a variety of agricultural products, including beef, poultry, and pork, to name a few.

We have been waiting a long time to get to this point, and so, as I have said two or three times, because I am satisfied we are going to get the job done, I am eager to cast my vote in support of all three agreements. But as the finish line nears on these agreements, the American people should be asking why President Obama has dragged his feet on these agreements for so long. There has been a lot of wasted time and tax dollars with stimulus programs that were supposed to create jobs but did not produce any measurable amount of jobs; whereas, if these agreements had been in place, these jobs we are talking about creating from this day forward would probably have already been created. The stimulus plan failed to do what President Obama promised Americans, but I am telling you these trade agreements will do what President Obama promises the American people, they will do in the way of creating jobs.

Of course, the President wants to try it again with yet another costly stimulus program, as we were debating yesterday. We don't need more government spending to create jobs. We know that doesn't work. What we need to do is create an environment so the private sector will create jobs. We know what works, and these agreements are part of what works to create jobs. We need to continue opening markets for U.S. exports, and that is what these agreements will do. We need to pass these trade agreements and do it now. American workers need them now and the unemployed need the new jobs that will be created as a result of these agreements.

But for the economic future of our country, we should not stop with these

three trade agreements. The President can provide certainty to businesses, farmers, and workers by renewing his commitment to expanding trade opportunities. The best way to do that is to ask Congress to renew his authority to negotiate free-trade agreements through a long-used cooperative process between the Congress and the executive branch of government, involving the Congress giving the President what is called trade promotion authority so he can work further agreements.

In January of 2010, the President said he wanted to double exports by 2015, and that was welcome news. But actions speak louder than words, Mr. President. The President has repeatedly delayed these trade deals. He has routinely dodged the question of when he would request authority for trade promotion to negotiate new agreements, and he has not laid out a clear strategic plan for in fact reaching the trade goals he expressed at the beginning of 2010. We are now nearly 2 years further down the road from that discussion he had.

While it may be tough to reach the goals of doubling exports by 2015, we can still push on toward that goal, as we should. The more we do to open new markets and then get out of the way, the more we will help our struggling economy. There are three steps to continue helping U.S. businesses, farmers, and most of all the workers of America—particularly the unemployed workers of America. First, we need to pass these three trade agreements with no more political gamesmanship by this administration, and I think we are over that hurdle. Secondly, Congress should pass trade promotion authority so the administration can responsibly seek opportunities for greater market access for U.S. products. Finally, the administration must make it a top priority to actually seek more opportunities for opening foreign markets for our products.

We live in a global economy. We once led the way in forming trade agreements and expanding trade relationships. The rest of the world waited for the United States to take the first step.

In recent years, we have lost our way. The rest of the world isn't going to wait on the United States as they did for the last 60 years. That is why we have lost market share in Colombia that I just spoke about as one example.

We need to reestablish our position as a world leader in opening and expanding markets. Passing these trade agreements is crucial and long overdue, but it is a necessary first step. The next step is for the President to seek trade promotion authority and get back in the game leading the rest of the world.

I urge my colleagues to help U.S. businesses, farmers, our workers, and, most importantly, our unemployed workers by voting in support of the Panama, Colombia, and South Korea trade agreements.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. I compliment my colleague for his kind and good words on the floor. He is a great leader in the Senate, and the Senator from Iowa is one of the truly great people I have met.

Today, we are finally considering our free-trade agreements with Colombia, Panama, and South Korea. It has been 9 long years since the authority to negotiate these trade agreements was passed by Congress, and it has been over 4 years, as the distinguished Senator from Iowa said, since each of these agreements was signed.

After a burst of international economic engagement under President Bush, we witnessed nothing but passive indifference by the 111th Democrat-led Congress and then, in more recent years, by the Obama administration.

While purporting to support trade and seemingly acknowledging its benefits, the current administration took little concrete action to advance these or any trade agreements for years. In fact, the opposite was true. Instead of devising ways to gain their approval, President Obama used his time to create excuses for not supporting any of the three agreements.

Finally, early this year, under relentless political pressure from Congress and from American businesses and farmers who will benefit from these agreements, the administration's excuses slowly melted away. Then, with every reasonable excuse gone and with bipartisan support for passing the agreements building and the end in sight, President Obama threw another obstacle in the path of their consideration. This time he made new demands for more spending on domestic worker retraining programs. Let's consider that at a time when virtually every government spending program faces intense scrutiny and many programs are being cut, this administration demanded more spending for a program of dubious value and with an unproven track record. In doing so, the President put his thirst for more spending ahead of the interests of the broader American economy that would benefit from these agreements entering into force, and he risked the tens of thousands of jobs his own administration insists these agreements will create. His reckless demands ground any progress we had achieved to pass the agreements to a halt. Accordingly, it took months for Congress to unravel this substantive and procedural Gordian knot of the President's own making. Meanwhile, U.S. workers continued to lose ground as our foreign competitors completed agreements to benefit their workers at our expense.

With today's vote, our Nation can hopefully begin to awaken from its trade stupor and confront the opportunities and challenges the world economy offers once again. Frankly, I am baffled by this administration's dis-

regard for trade. They should know better. Our country benefits from free-trade agreements, and the reason is simple: The tariffs of our trading partners are generally significantly higher than are those of the United States. Free-trade agreements even the playing field for U.S. exporters by lowering the tariffs of the United States and our trading partners to the same level of zero.

For those who say they demand fair trade, it is hard for me to conceive of fairer trade than that—a level playing field where our products and services enjoy the same access and protections that foreign goods and services enjoy here in the United States. By leveling the playing field, free-trade agreements promote U.S. exports. Indeed, U.S. exports to our free-trade-agreement countries increased at a faster rate than U.S. exports to the rest of the world from 2009 to 2010. Moreover, in 2010, U.S. exports to our free-trade partner countries constituted 41 percent of all U.S. exports. Yet the United States has free-trade agreements with only 17 countries, and that is out of the 234 countries on which the U.S. Department of Commerce collects trade data. So our exports to our free-trade-agreement partners—just 17 countries—come close to dominating U.S. exports.

Let's look at this another way. The combined population of our free trade agreement partner countries is only about 310 million, while the world population is approximately 7 billion. So almost half of U.S. exports go to the less than 5 percent of the world's population that lives in countries with which we have free trade agreements. To me, it is clear that if we really want to double exports over the next 5 years, among the best tools available to us are our free trade agreements.

The export numbers under our recent free trade agreements certainly bear this out. Staff economists at the U.S. International Trade Commission share these observations on the benefits of the recent free trade agreements. They wrote last month that "the United States has a significant and sustained trade surplus with recent FTA partners." In an analysis of recent free trade agreements that excluded oil trade, these economists noted that the U.S. trade surplus with these recent free trade agreement partners grew from \$1.7 billion in 2005 to \$16.7 billion in 2010, and they stated that this expanded trade surplus was driven mainly by a \$24.5 billion increase in U.S. exports to those countries. During this same period, U.S. non-oil exports to the recent FTA partner countries increased by 23 percent, while non-oil imports from those countries grew by only 3 percent.

So the facts are clear that the recently implemented U.S. free trade agreements have benefited the United States. There is little doubt that the pending U.S. free trade agreements will do the same. As with existing U.S. free trade agreements, the free trade agreements with Colombia, Panama, and

South Korea will level the playing field for U.S. exporters. They will eliminate the significant disparity between tariffs imposed by Colombia, Panama, and South Korea on imports from the United States and tariffs that the United States applies on imports from those countries.

According to the U.S. International Trade Commission, U.S. exports to these countries may increase by up to \$12 billion following implementation of these agreements. The U.S. International Trade Commission also estimates that these agreements, once implemented, could expand the U.S. GDP by over \$14 billion.

Let's take a moment to review the unique benefits of each of these agreements. The South Korea FTA is in many ways the gold standard for trade agreements. South Korea's economy is worth over \$1 trillion, and this agreement enables American workers and companies to take advantage of it.

The FTA incorporates state of the art intellectual property rights protections, significantly expands services sector market access, opens a large agriculture market, and offers new market access for American manufacturers. It adopts the most advanced regulatory, non-tariff barrier, and investment provisions of any FTA thus far and champions the rule of law which is so critical to an effective and fair rules-based trading relationship.

For my home State of Utah, South Korea is already an impressive market. South Korea imported more than \$294 million of goods from Utah in 2009 alone. Implementation of the agreement will help boost Utah's exports even more, as over two-thirds of our exports to Korea will become duty-free immediately.

The sectors that will immediately benefit from the agreement's tariff cuts reflect Utah's economy, including computers and electronics, metals and ores, machinery, agriculture, and services.

But the benefits of this agreement for Utah go far beyond just reducing tariffs. By adopting the strongest intellectual property rights, regulatory reforms, investment protections, and transparency provisions, the South Korea FTA will ensure that our companies, farmers, and workers realize the full potential of the South Korean market. By protecting the ideas of America's entrepreneurs and providing a level playing field, U.S. workers and job creators stand to benefit significantly from implementation of this agreement.

Panama plays a unique and important role in international trade. The construction of the Panama Canal bridged East and West, allowing us to link economies across the globe. Today, Panama is building towards an even more interconnected future as it engages in an ambitious \$5.25 billion construction project to broaden and deepen the canal. The Panama FTA will provide our companies and work-

ers with access to this and other government procurement projects.

Panama is one of the fastest growing economies in Latin America, having experienced a decade of economic growth that has at times reached double digits. Panama's GDP is expected to more than double by 2020. Passing this agreement will provide significant new access for U.S. companies and workers to this growing market.

Bear in mind that today, 98 percent of Panama's goods enter the U.S. duty free. Our trade agreement turns this into a two-way street, ensuring that 87 percent of U.S. goods will enter Panama duty free immediately once we get this agreement implemented.

Panama is also one of the world's financial hubs and in recent years has taken giant leaps to increase its fiscal transparency. This financial industry underpins a services market worth over \$20 billion. Our services firms will have guaranteed access to this market once we the FTA enters into force. Our farmers and ranchers will gain additional market access through tariff reductions and a fair and transparent, science-based regulatory environment which will enable them to sell more products to Panama's growing consumer class. The agreement will foster greater customs transparency, which will benefit both exporters and importers, including Utah companies who currently export almost \$4.5 million per year in goods to Panama.

The Colombia agreement will also help our exporters. Our agreement with Colombia will transform a one-way preferential trade relationship into a two-way street, giving U.S. exporters fair access to a large and growing consumer market. Colombia's economy is the third largest in Central and South America. Colombia is also the third largest recipient of U.S. exports in Latin America. In fact, in 2010 the U.S. sold more products to Colombia—approximately \$12 billion—than to Russia, Spain, Turkey, Saudi Arabia, Egypt, Chile, Peru, Indonesia, South Africa, Thailand, and the Philippines.

The agreement will affect the lives of farmers and workers across the United States in a positive way. A good example of the agreement's positive effects can be found in my home State of Utah where workers at AC Med, a Salt Lake City company that exports hospital beds to Colombia, will see tariffs of 20 percent eliminated immediately upon implementation of this agreement.

Implementation of this agreement will result in over 80 percent of U.S. exports of consumer and industrial products to Colombia becoming duty free immediately, with the remaining tariffs being phased out over 10 years.

The agreement will also provide significant new access to Colombia's \$134 billion services market, will require the use of fair and transparent procurement procedures protecting United States companies in Colombia against discriminatory or unlawful treatment, protect intellectual property rights,

and increase access for U.S. service providers, telecommunication companies, and agricultural exporters.

There are a number of reasons beyond the economic benefits to the United States economy to support our trade agreement with Colombia in particular. Colombia is a strategic ally of the United States. In a part of the world where the United States has too often lacked friends, Colombia is a sound and steadfast ally. In fact, I can think of no other countries in South America with which the United States has closer, stronger, and more positive relations.

While Colombia has a long democratic tradition, undemocratic forces have tried over the years to topple its government. Determined to keep these armed entities from destroying their democracy, Colombians fought for decades against these forces. Far too many brave men and women lost their lives and their livelihoods in this struggle.

The United States stood by the side of these Colombians, devoting significant resources in the fight against drug traffickers and narco-terrorists through Plan Colombia. The accomplishments of Plan Colombia have been significant, but there is more work to be done. Continued economic growth will be key to helping Colombia further solidify its democratic gains and strengthen the rule of law. This FTA can contribute to both our economies while strengthening democracy in Colombia and helping our friends.

Each of these agreements will enhance our economic competitiveness and provide new opportunities for our exporters. Our Nation has been denied the benefits of these agreements for long enough. As President Obama himself has said, it is time to put country before party, and support each of these important trade agreements. I urge all my colleagues to vote for each of these agreements.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

IRANIAN BOMBING PLOT

Mr. NELSON of Florida. Madam President, I wish to speak on the trade bills, but first I would like to comment on the fact, as the Senator from Utah has reminded us, of the sacrifice a lot of young Americans are enduring.

One of the more difficult tasks that I have is to sign the letters of condolence to the families on the loss of one of their members anywhere in the world having to do with the armed services.

I might say that another major part of our protection of our national security is the young men and women we do not hear about, the men and women of the intelligence community all across the globe who likewise are protecting our national security interests, many times in direct coordination with the U.S. military. From time to time, we have casualties in the intelligence community as well.

I just want to again express my profound thanks and gratitude to those across the globe who are protecting the national security interests of our blessed country.

It is interesting because we just learned of a plot that was a threat to our security interests. Can you believe—a plot to assassinate a diplomat here in our Capital City of Washington; a plot that has intrigue like a B novel, that brings in the Mexican drug cartels; a plot that, according to the Attorney General, has been hatched by high levels of the Iranian Government. Now, the question is, who is in control in the Iranian Government? Is it the Supreme Leader? Is it the President, Ahmadi-Nejad? Is it what this plot was traced to, which is one arm of their governmental apparatus, the Revolutionary Guard, the Quds Force? It doesn't seem that Iran has its act together.

Even though we hear the protestations by the Iranian Ambassador at the United Nations that this is all a fabricated lie, this perpetrator has already confessed. According to the news reports, they are saying this plot included bomb attacks, plotting on the Saudi and Israeli Embassies here in Washington, and that is all here in our National Capital. It was, according to the Attorney General, conceived, sponsored, and directed from Iran. This is obviously a flagrant violation of international law.

An FBI informant, in the transcript the Justice Department released yesterday, asked the alleged plotter whether he was worried about innocent people being killed by a bombing in a restaurant where the supposed plot was to have taken place, where the Saudi Ambassador was going to be dining. In a reference to his Iranian superiors, this bomber said, "They want that guy done" even if "a hundred go with him." The people of the United States have every reason to be outraged, to view this plot as an outright attempt to assault our Nation and our allies. I appreciate the Secretary of State calling for tougher sanctions. I want to hear what the administration is going to do, to make it very clear that these kinds of actions are not going to be tolerated.

I thank, again, the intelligence community, which is how I started my comments. I thank the intelligence community for what they are doing around planet Earth, day in and day out, gathering the information that protects us.

I want to comment on the matter at hand, the trade bills. I thank the chairman and the ranking member for their hard work in bringing to the table and shepherding these trade agreements through the Finance Committee and now here to the Senate. I came here to talk about what is good about these agreements and other people are coming here to talk about what is good, but all you hear is people want to blame the administration for some-

thing. Why don't we say something good?

Not only are these agreements with South Korea, Colombia, and Panama critical to the U.S. economy, they are certainly critical to the economy of my State of Florida, and they send an important signal that the United States is not going to turn its back on economic engagement. These trade agreements are creating a level playing field for American companies by removing foreign barriers to U.S. exports and U.S. investment. And, by the way, some of us would not have let these trade agreements go forward unless there had been also the passage of the trade adjustment assistance, which is assistance for workers who might be displaced as a result of the trade bills, especially with regard to retraining.

The bottom line of these trade bills, then, means real jobs for struggling American workers. If there is any doubt with regard to an economy such as Florida's, there is no question that trade with Colombia, trade with Panama, trade in our agricultural sector with South Korea, is in the interests of my State. But this is also in the interests of the economy of the United States.

The U.S. International Trade Commission estimates American economic output will grow more from the U.S.-Korea agreement than from the last nine trade agreements of the United States combined; just from this one agreement with Korea, more economic output than the last nine agreements combined. The administration has taken extra steps to obtain these labor protections I talked about and further labor protections in the agreement with Colombia and the necessary tax transparency in the agreement with Panama. There is no question that free trade, if it is done right, creates jobs and opportunities. My State, Florida, is the launching point, the gateway to Latin America. Thousands of jobs in Florida depend on maintaining a vibrant commerce in the economic relations with our trading partners to the south. If we fail to move these agreements with Colombia and Panama, we are going to run the risk of losing these jobs.

I often say why does Florida reflect the Nation in a lot of our political mood? It is because the country has moved to Florida. But what is also reflective of Florida, Florida is increasingly a reflection of the Western Hemisphere because of all our ties into Central and South America and the Caribbean.

Under these agreements we are going to pass, emerging industries in Florida, such as aerospace, will be able to increase sales abroad while we are going to be able to hire more people here at home. In the agricultural sector, our ranchers, our farmers, our growers are going to significantly benefit from these agreements. Korea's 54-percent tariff on certain citrus products is going to be eliminated immediately or

reduced to zero over 5 years. Do you know who that helps? It helps a specialty section of citrus called the Indian River region, the region this Senator grew up in, on the banks of the Indian River. The delicacy fruit of the world comes from the Indian River region. They are a huge exporter of fresh grapefruit, and especially that grapefruit going into Korea as a result of this agreement is going to be helpful.

The changes will create new export opportunities for the entire citrus industry and the tariffs on Florida beef exports to Korea will also come down. A lot of people do not know—the Presiding Officer being from New York, people they do not know that New York is a great agriculture State. A lot of folks do not know that Florida is not only how they would identify it—citrus—but it is a huge agriculture State. A lot of people do not realize how much the beef industry, the ranches this Senator grew up on, are so much a part of our economy, and among the 50 States Florida is a leader among beef ranches. This is all going to benefit as a result of this trade agreement with Korea.

The Colombia and Panama agreements include important protections to prevent Brazil, a major producer of orange juice, from shipping orange juice through these other countries to the United States.

These trading agreements are important for strategic reasons as well. Obviously Colombia is a key ally in the region. You have to give credit where credit is due to the Colombian Government, the previous government of President Uribe and the present government, for the close working relationship with the U.S. military, as well as our intelligence community. Give credit where credit is due, that the Government of Colombia pulled off that ruse that helped us bring our three American hostages, who were held by the FARC for years, out of the jungles. South Korea and Panama are strategic partners and share regional interests in security and economic stability.

With all of these trading partners, we are bound by our commitment to freedom and the rule of law, and these trade agreements are certainly going to help us solidify our converging aspirations.

I yield the floor.

Mr. ROBERTS. Madam President, it is my understanding we are in morning business and I am allowed 10 minutes; is that correct?

The ACTING PRESIDENT pro tempore. There is no restriction on floor time.

Mr. ROBERTS. Marvelous. Before the Senator from Florida leaves, let me say, from the banks of the Indian River to the prairies of Kansas and Dodge City, I know many people do not quite grasp the fact that there are a lot of cowboys in Florida. Obviously we have a lot of cowboys in Dodge City. From the wheat we want to export to Colombia, despite their trade agreements

with other countries, and you want to export citrus, beef—the same kind of thing—it just shows you from Kansas to Florida, we have similar interests. I thank the Senator for his comments and for his comments yesterday in the markup in the Finance Committee, and for his support. A lot of my remarks will be duplicative of his. That shows you, in regard to Florida and Kansas, we have a very strong mutual interest.

Mr. NELSON of Florida. Will the Senator yield for a question?

Mr. ROBERTS. I will be happy to yield.

Mr. NELSON of Florida. And also in a bipartisan way that we are supporting this. Isn't that a wonderful term to suddenly throw around, "bipartisanship," where we can come together, not as partisans, not as ideologists, but in the best interests of the country?

Mr. ROBERTS. I share the Senator's views, and I am very hopeful this will not be the last trade agreement we see. I, again, thank him for his comments and his work.

Madam President, some of my remarks will be duplicative of those of Senator HATCH and those of the Senator from Florida, as I have indicated, but on behalf of our Nation's farmers, ranchers, and manufacturers, service providers, I rise today to add my voice to the chorus of strong support for passing the pending trade agreements with Colombia, Panama, and Korea.

I will be candid with you. I am not trying to be a "bad news bear" here, but I was not all convinced this day would ever come. But after learning that the President was sending the trade agreements to Congress, I think the word I thought of in my head was "finally," maybe five "finallys," because it has been 5 years that the U.S. trade agenda has been put on hold and frankly was hostage to demands by certain environmental groups, labor groups, and a rewrite of the trade adjustment assistance. But yesterday under the perseverance of the chairman, Senator BAUCUS, and others on the committee, finally the Senate Finance Committee did pass the trade agreements.

We had a markup. It was amidst protesters. It was not a unique situation, but one that the chairman handled very deftly. I call to the attention of Members in regard to their interests in the trade agreements, if they have any possible concerns, read the remarks by Senator HATCH and by the chairman, by Senator CRAPO, Senator WYDEN, and Senator KERRY—more especially Senator WYDEN. He got a little static from the audience, undeservedly.

The good news is, the pending trade agreements add up to \$13 billion in additional exports and estimated 250,000 jobs.

A few big picture highlights: Right now, Korea imposes on average a 54-percent tariff for ag products. Upon implementation, two-thirds of current tariffs are immediately eliminated,

with most zeroing out after a decade. For beef producers—and that is a big thing for Kansas—that means the 40-percent tariff on beef products will be phased out over 15 years. Around 75 percent of the ag and non-ag exports entering Colombia will be duty free upon implementation of the agreement. Duties on many other tariff lines will be phased out over a 5- to 10-year period.

For Panama, while reducing import duties is important, the expansion of the Panama Canal is not only an important project for U.S. bidders, it is geographically key for international commerce and transportation and security for the region.

But from the agricultural perspective, just for the aggies, the three pending trade agreements represent \$2.5 billion upon full implementation; in regard to exports, more than 22,000 jobs. The Kansas Farm Bureau estimates the three agreements in total are expected to increase direct exports by \$130 million for Kansas agricultural producers and an additional 1,150 jobs.

Finally, these trade agreements will help put American workers and exporters on a level playing field with our competitors and hopefully—a tough job—regain lost market share.

Let me emphasize that in the case of two of these agreements, Panama and Colombia, under normal conditions their exports already have duty-free access to the U.S. market. The pending agreements merely create a two-way trade and allow U.S. exporters the same treatment we already grant their countries. It makes one wonder what all the fuss was about. The 5-year fuss and delay hurt us, not them. That is the point I think everybody should finally discern.

Yet for 5 years, 3 years under this administration, the goalposts continued to shift and action was delayed indefinitely—2 years under the previous administration, basically with objections by the House of Representatives. As a consequence, U.S. producers and exporters lost market share to our competitors.

Let me give an example. Over the past 2 years, U.S. wheat producers have already lost market share to Argentina, which receives preferential trade treatment based on a regional trade agreement. In just 2 years, the U.S. share of the Colombian wheat market dropped by 30 percent. Including corn and soybeans, the lost market share jumps to 57 percent.

In addition, the largest food processor in Colombia—Nutresa—announced shortly after the Canada-Colombia trade agreement went into effect that they were sourcing all of their wheat purchases from Canada, accounting for half of all wheat imports. Previously, U.S. wheat growers were the largest suppliers of wheat in Colombia.

In July, the Korea-European Union trade agreement—not U.S. agreement, European Union agreement—went into

effect, and within the first month, according to Korean Customs, European Union exports are up 34 percent. That is market share going to the European Union, not the United States. Notably, aerospace equipment increased a whopping 1,693 percent. We can see where that is going. Kansas is a major player in the aviation sector. We exported \$2.7 billion in transportation equipment last year. Considering the European Union agreement, we can see what happens with lost market share.

Finally, with regard to the United States and future trade and trade in general, the United States must be trusted to stand by its word. Trust in our word in trade means everything. The dithering on these trade agreements has not been lost on our trading partners or the world at large. It is just not economic growth and job creation we have gambled with. All the back and forth and increased demands on our part calls into question our integrity. Is the United States a dependable partner and ally?

As the former chairman of the Senate Intelligence Committee, I am quite familiar with who is a friend to the United States and who is not. In the 31 countries and 10 territories that make up the U.S. Southern Command, there is a growing sense of anti-Americanism. Venezuela's President, Hugo Chavez, is a perfect example.

A decade ago, Colombia was essentially a failed state suffering from a war waged between the guerilla groups and the paramilitary groups, the FARC and the ELN. Much has changed over 10 years under the leadership of then-President Uribe and continued by President Santos—an amazing job.

U.S. support during this time has helped establish a firm relationship and form a key ally in an increasingly hostile area. So strengthening our economic relationship just makes sense. The unjustified delay on our part is not only embarrassing, it has potentially damaged our credibility, in my view.

As Kansans and the rest of our Nation continue the slow and bumpy climb out of these tough economic times, we must do all we can to foster economic growth. Opening foreign markets to U.S. goods, services, and agriculture is an obvious and long overdue part of the solution. But we can't stop with passing these three trade agreements, pat ourselves on the back, and call it a day. I assure my colleagues that our foreign competitors are not stopping. In fact, it has been reported that there are approximately 100 trade agreements being negotiated right now, give or take, that do not include the United States—100.

We, the United States, are negotiating one, initiated in the waning days of the Bush administration—the Trans-Pacific Partnership, or TPP. The TPP provides critical access to the ever-growing Asia-Pacific region and has the potential to include other countries later in the future.

While negotiations continue, there will soon come a point when talks will

stall because the U.S. negotiators' hands are tied without the protection of trade promotion authority or fast track, as some refer to it. Without TPA, negotiating countries will have little reason to negotiate much less make any difficult concessions until they know the United States is serious. Fast track provides the substance to these talks.

So why is TPA not a priority? I am concerned that as the administration quietly defers on seeking trade promotion authority, negotiators will be unable to negotiate, and trade will take a back seat once again. The signal may well be—and I hope this is not true—that these trade agreements will be the last under the current administration.

Now, let me get off the “Bad News Bears” stuff and the stubborn facts and the 5-year delay. Let me give credit to the President for finally—yes, finally—sending these trade agreements to Congress. But let's not become pacified with the long overdue action. In order to stay competitive with our foreign partners, we need to stay in the game. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Madam President, I will speak for up to 10 minutes, but I would first defer to the Senator from Michigan for a unanimous consent agreement.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. I thank the Senator from Louisiana. I ask unanimous consent that immediately after Senator VITTER has completed his statement I be recognized for up to 30 minutes, and that I may yield time during that 30-minute period to Senators on this side as we control the 30 minutes.

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

The Senator from Louisiana.

ENERGY

Mr. VITTER. Madam President, today is the 1-year anniversary of President Obama and Secretary of Interior Salazar finally lifting the formal moratorium on drilling in the Gulf of Mexico following the BP disaster. But simply lifting the moratorium did not solve the problem. I return to the Senate floor today to again say that still, a year later, that problem is not solved because there is a continuing permit logjam.

It started with a de facto moratorium. Now there has just been a trickle of permits, and there is a continuing permit logjam that has dramatically shut down and slowed energy activity in the Gulf of Mexico. That must change.

Of course, this is vitally important for my State of Louisiana and the livelihoods of tens of thousands of my citizens. That must change for the good of the country as well, for our economic well-being and to increase our revenues to address deficit and debt.

As we talk about jobs and various jobs bills and jobs proposals, we must focus on the domestic energy sector, and we must change the situation. We must reverse this virtual shutdown of the gulf for the good of the country, and I hope we do that.

To that end, I joined Congressman JEFF LANDRY yesterday in a meeting with Obama Director Michael Bromwich and other high-ranking administration officials who have to do with this very permitting and leasing process. We wanted to sit down with these officials in the Obama administration to again make this very point. The formal moratorium was lifted a year ago, but the problem persists, and we need to do better. We need to issue permits at a much more healthy pace. We need to get that important domestic energy activity back up and running in the Gulf of Mexico.

Recently, there was an independent study by HIS Global Insight which put some hard numbers on this situation. That study said leasing in the Gulf of Mexico is down about 65 percent from pre-formal moratorium levels. It also pointed out that the waiting line of people and companies to get permits has almost doubled. It has increased 90 percent.

So what does that mean? That means far less activity in the gulf, far less energy activity for the country, and far fewer jobs—jobs we need now more than ever in this horrible economy.

Let me give some other relevant numbers. As of the end of September—just a few weeks ago—there were 21 floating rigs in the Gulf of Mexico, of which about 18 are currently drilling wells. That compares, pre-moratorium, to 33 floating rigs with 29 drilling wells at that time. That is a 37-percent drop in both the number of rigs and those drilling.

Since the moratorium began, 11 rigs have left the Gulf of Mexico. Only one of these has returned. In addition, three more are sitting idle. Seven of these rigs have left to go to African countries, including Egypt, Nigeria, Liberia, and the Republic of Congo. Three have gone to South America, mostly to Brazil and French Guiana; and the remaining rig was mobilized to Vietnam. This all translates to about 60 wells lost based on the original contract terms for these rigs.

The loss of these rigs isn't just loss of equipment; it is loss of important energy and economic activity, and it is loss of jobs. It is lost spending of \$6.3 billion and an annual loss of direct employment of 11,500 jobs over just 2 years. When we look at indirect employment, it is a multiplier that brings that lost job figure to way more than that.

Again, it started with the formal moratorium. The formal moratorium was lifted 1 year ago today, but the problem persists because there was a de facto moratorium, and there is still a permit logjam.

Another example of this enormous problem isn't just permitting. Another

example is lease activity by the administration. Again, that is completely separate and apart from permitting. But the dramatic decline in lease sales, lease activity that the administration is putting out, shows the same problem mindset. What do I mean?

Well, in the last fiscal year, the administration had no new lease activity—zero, nothing, nada. What that means is—just a few years ago the income to the Federal Government from lease sales was almost \$10 billion, and that has fallen like a rock through the floor and is now zero. That is another indicator of a problem mindset in this administration, leading to a dramatic economic slowdown. We need to reverse this. We need to do better for the economy, for jobs, and for that important revenue it brings to the Federal Government which could lower deficit and debt.

So as we talk about the need to create good American jobs, as we also talk about the need to grapple with our deficit and debt situation and dramatically lower deficit and debt, as we talk about the need for revenue to be part of that picture, domestic energy has to be part of the solution, and it can be a big and productive part of the solution to both of those huge problems—the need to create good American jobs and the need to lower deficit and debt. If we aggressively pursue domestic energy production, starting in the gulf, fully reopening the gulf, getting the permit process to a pace at least equal to pre-formal moratorium levels, get lease activity back online, and then expand to other areas of our resources off the Atlantic, Pacific, offshore Alaska—we have enormous resources that are now off-limits to energy production—if we do that, we can grow jobs, we can grow Federal revenue and lessen deficit and debt, and we can help attack both of those major economic problems for the country.

Again, yesterday, I met, along with Congressman LANDRY, with Director Bromwich to make those points, to give specific examples of what we can be doing to go down that path in favor of good American jobs and lowering the deficit and debt. I hope it made a difference. Ultimately, only time will tell. But this needs to be part of our overall economic approach. This needs to be part of our deficit and debt reduction approach, and it can make a major contribution to solving both of these problems.

I hope in a bipartisan way we will do that, and urge that in the Senate, and the administration will break through the negative mindset they have had for several years and do that in an aggressive way. Our country needs it. Our workers need it. We need it as taxpayers to lower the deficit and debt, and this would be a very productive way forward.

Madam President, with that, I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

AMERICAN JOBS ACT

Mr. LEVIN. Madam President, more than 14 million Americans are without work. The American Jobs Act would help up to 2 million Americans get work or keep their jobs. It would prevent the layoffs of hundreds of thousands of teachers, police, firefighters, and other first responders. The jobs bill would give tax cuts to millions of small businesses. It would give incentives to those businesses to hire new workers. The American Jobs Act would provide a payroll tax cut to millions of American families. It would help our returning veterans find jobs. The American Jobs Act would put thousands of construction workers on the job repairing crumbling schools, building and repairing roads and bridges.

The chief economist for Moody's, Mark Zandi, estimates that this legislation would add 2 percentage points to economic growth and would reduce the unemployment rate by up to 1 full percentage point. Economists surveyed by Bloomberg believe this bill "would help avoid a return to recession." Those are their words. That is what the majority of our economists say from both sides of the aisle, across the political spectrum.

How does it do this? The bill uses ideas that both Democrats and Republicans have supported in the past. It would not add a dime to the Federal deficit, and its provisions are overwhelmingly popular with the American people, according to all of the public opinion polls.

We should be debating this bill. We should be offering amendments, as the majority leader said we would be doing. We should be improving it. We should be preparing to vote on it so millions of American working families can get the relief they need. We should do this so we can demonstrate to our constituents and to the world that we will come together to act in the face of crisis. Yet here we are roadblocked again. Why are we roadblocked? Because our Republican colleagues last night voted not to allow us to even begin to debate legislation that has ideas so many of them have supported in the past.

Senate Republicans are once again walking down the filibuster road. The vote last night was not a vote on the American Jobs Act. Because the filibuster rules of the Senate require 60 votes, Senate Republicans last night were able to prevent the Senate from proceeding to a bill addressing the jobs crisis. We all know the rules of the Senate give the minority the power to stop us from holding this debate, but exercising that power, as they did last night, is profoundly mistaken. What they are doing when they do that is

they are using a filibuster to prevent the Senate from even debating this bill. What that does in turn is elevate partisan interests over the good of the country.

A number of us are going to be speaking today because we are deeply concerned—concerned that Republicans once again have signaled to an anxious and skeptical nation that we cannot address a great challenge of the day. We are deeply concerned that the single most important need in this country—jobs—will not be debated and remedies will not be sought because the Republicans once again are walking down the filibuster road.

If Republicans oppose this bill, which is their right, vote against it. Better yet, if Republicans oppose this approach, for heaven's sake, offer an alternative jobs bill, offer a substitute, an alternative, something where the American public can compare what is in our jobs bill with what Republicans presumably favor. They oppose ours without saying what they favor, except vague references to less regulation. Everybody is in favor of eliminating wasteful regulations, but nobody believes you can do serious deficit reduction or create serious numbers of jobs by just freezing regulation.

By the way, the small business community does not believe that. The surveys which were taken of small businesspeople by their own organizations say the biggest problem small business has is not regulation, and it is not taxes; it is a lack of demand. This bill helps to create demand by putting dollars into the pockets of our workers. There is a tax cut here which is very important to help stimulate that demand.

So what is coming across to the American public loudly and clearly these days is that the Democrats here in the Senate have an alternative. The Republicans are filibustering that alternative without offering one of their own. Now, the majority could seek to break this filibuster by forcing the Republicans to sustain the filibuster and to try to wear them down. That process, however, at this time in this Congress is not a practical approach because it takes weeks or even months to break a filibuster. It is just simply too late in the session for us to practically be able to do that. And, by the way, the American people should not have to wait that long in any event for us to act.

But there is another way to overcome a filibuster. It is not just forcing the filibusterers to filibuster—that is one way to do it; it takes usually months in order to succeed, but it would dramatize where the obstruction is—but the other way to overcome a filibuster is for public opinion to wear down the Republican wall of obstruction. That is probably the only practical path available for overcoming this filibuster at this time of this Congress.

I hope the President will use his bully pulpit to make clear to the

American people that it is the obstructionism of filibustering Republicans that prevents us from taking action on a jobs bill. The President has very effectively gone around the country supporting his jobs bill. I commend him for doing that. But what we need him now to do is to take that bully pulpit, which is unique to the President and to the Presidency, and use that bully pulpit to make it clear to the American people that filibustering Republicans are obstructing us from even taking up a jobs bill.

The majority leader has made it clear that this is open to amendment. If the Republicans have a better idea, they can offer a substitute. But what is going on here now is that, without any alternative of their own, they are preventing us from addressing the major issue of this country.

The Republican leader last night repeatedly asked unanimous consent to send this bill back to the calendar if we did not get 60 votes to proceed. The Republican leader wants this bill to go away. Well, this jobs bill is not going to go away. It should not go away. And the Republican leader is engaging in wishful thinking if he believes that because he and his colleagues on that side of the aisle are filibustering a jobs bill, that means the filibuster is going to succeed and this bill is simply going to be returned to the calendar.

The majority leader has said he is going to try again. Senator REID said specifically he is going to bring this bill back again by using his rights, after he made it clear last night he is going to reconsider this bill. He has the right to do that because of the way in which he voted last night. He voted with the prevailing side at the end in order that he could reconsider this bill—a technical way that he could. He already had expressed his view very strongly supporting cloture, but he also, in order to bring this bill back under the same cloture motion, then filed a motion to reconsider as a Member of the prevailing side at the end, after he switched his vote so he could do so.

I commend the majority leader. I commend him for taking that action. I commend him for signaling to the American people, to the media, to our colleagues on both sides of the aisle that he is going to try again. We are not simply going to fold our tent and go away. The majority leader is going to move to reconsider at a time he believes is appropriate, and then there will be another effort to break a Republican filibuster so we can at least debate this critically important legislation.

Madam President, I am going to read from an analysis on the jobs plan by Mark Zandi that I ask unanimous consent be printed in the RECORD. Mark Zandi is an economist at Moody's.

[From Economy.com, Sept. 9, 2011]

AN ANALYSIS OF THE OBAMA JOBS PLAN

(By Mark Zandi)

President Obama's jobs proposal would help stabilize confidence and keep the U.S. from sliding back into recession.

The plan would add 2 percentage points to GDP growth next year, add 1.9 million jobs, and cut the unemployment rate by a percentage point.

The plan would cost about \$450 billion, about \$250 billion in tax cuts and \$200 billion in spending increases.

Many of the president's proposals are unlikely to pass Congress, but the most important have a chance of winning bipartisan support.

President Obama's much-anticipated jobs plan is a laudable effort to support the struggling economy. The plan would go a long way toward stabilizing confidence, forestalling another recession, and jump-starting a self-sustaining economic expansion. If fully implemented, the Obama jobs plan would increase real GDP growth in 2012 by 2 percentage points, add 1.9 million jobs, and reduce the unemployment rate by a full percentage point, compared with current fiscal policy.

The president's plan includes a wide range of temporary tax cuts and spending increases. Among its widely anticipated provisions are one-year extensions of this year's employee payroll tax holiday and the full expensing of business investment. Surprisingly, the plan would also increase the size of the temporary payroll tax cut and creatively expand it to employers. The president would also help state and local governments pay teacher and first-responder salaries, boost funding for unemployment insurance while meaningfully reforming the UI system, and launch several infrastructure initiatives.

The plan has its drawbacks. It isn't cheap, costing taxpayers an estimated \$450 billion. Of that, approximately \$250 billion takes the form of tax cuts, while another \$200 billion comes through spending increases. The president proposes paying for his plan with additional deficit reduction beginning in fiscal 2014, but he does not explicitly say how this is to be accomplished. The plan also results in weaker growth in 2013, as most of the tax cuts and spending increases are temporary and fade during the year. Presumably the economy will be strong enough to handle it by then, but that is far from certain. Moreover, the plan fails to address the ongoing foreclosure crisis and housing slump, major impediments to the recovery.

In the current political environment, it is less than likely that most of the president's plan will pass Congress. Our current baseline outlook assumes that the payroll tax holiday for employees is extended for only one more year. There is a fighting chance that broader payroll tax cuts for employees and employers could become law, but the odds aren't high enough at this time to change our baseline assumptions.

WHY MORE SUPPORT IS CRITICAL

There are compelling reasons why the Obama administration and Congress should provide more fiscal support to the economy. Most obviously, the U.S. is struggling to avoid recession as confidence flags. To complicate matters, federal fiscal policy is quickly becoming a significant drag on growth; state and local governments are already a weight. The Federal Reserve has resumed easing monetary policy, but with interest rates near zero, the Fed cannot lift the economy by itself. Moreover, with the government's borrowing costs as low as they have ever been and no indication that public borrowing is crowding out private activity,

there is ample room to fund more near-term fiscal support, particularly if it is paid for with additional long-term deficit reduction.

The U.S. economy is on the cusp of another recession. Businesses have stopped hiring and households are spending more tentatively. Bankers are re-evaluating whether it makes sense to continue easing credit standards and wondering if instead they should be battenning down the hatches again. Declining stock prices and widening credit spreads suggest investors are also losing faith.

CRISIS OF CONFIDENCE

Recession risks are uncomfortably high largely because confidence is low. The economy has fundamental problems, including the foreclosure crisis, a surfeit of residential and commercial real estate, and yawning government deficits. But even more serious is that investors, consumers and businesses appear shell-shocked by recent events.

Confidence normally reflects economic conditions; it does not shape them. Consumer sentiment falls when unemployment, gasoline prices or inflation rises, but this has little impact on consumer spending. Yet at times, particularly during economic turning points, cause and effect can shift. Sentiment can be so harmed that businesses, consumers and investors freeze up, turning a gloomy outlook into a self-fulfilling prophecy. This is one of those times.

The collective psyche was already very fragile coming out of the Great Recession. The dramatic loss of millions of jobs and double-digit unemployment have been extraordinarily difficult to bear. Businesses have also struggled with a flood of major policy initiatives from Washington, led by healthcare and financial regulatory reform. The lengthy political battle over raising the nation's debt ceiling and Standard & Poor's downgrade of U.S. debt eviscerated what confidence remained. While the loss of S&P's AAA rating has little real significance—Treasury yields have fallen since the downgrade—it unnerved investors, judging by the plunge in stock prices. Consumer and small-business confidence gauges are as low as they have been since the Great Recession.

Consumers and businesses appear frozen in place. They are not yet pulling back—that would mean recession—but a loss of faith in the economy can quickly become self-fulfilling. Whether the current crisis of confidence produces a double-dip recession depends critically on how policymakers respond. Washington must act aggressively to stabilize sentiment and lift flagging expectations.

If no changes are made to current federal fiscal policy, the economic impact of that policy will shift from acting as a small drag this year to subtracting 1.7 percentage points from real GDP growth in 2012. For context, at the peak of the federal fiscal stimulus in 2009, federal policy added 2.6 percentage points to real GDP growth. Yet as the impact of federal policy shifts from a stimulus to restraint, the private sector must grow faster for the economy to simply grow at its potential. In 2012 that potential is estimated at 2.7%; to reach it, private sector GDP would need to grow well above 4%. That seems unlikely given the weak pace of recovery.

The biggest drag next year under current federal policy comes from the scheduled expiration of two stimulus measures at the end of 2011: the current 2% employee payroll tax holiday and the emergency unemployment insurance program. Not extending the programs will shave 0.9 percentage point off 2012 real GDP growth and cost the economy some 750,000 jobs. The end of other fiscal stimulus measures enacted in 2009 will further reduce economic growth.

State and local government actions are already producing serious drags on the economy. Spending cuts and tax increases will shave an estimated 0.5 percentage point from real GDP growth this year and almost as much in 2012. The impact can be seen clearly in the job market. State and local governments have cut close to 700,000 jobs since their employment peaked three years ago and are continuing to shed workers at a stunning rate, averaging nearly 40,000 per month. Many of those losing their jobs are middle-income teachers, police, and other first responders.

The need for more federal fiscal support is increasing as the Federal Reserve's ability to respond to the weak economy diminishes. The Fed recently took a bold step by stating its intention to keep short-term interest rates near zero until mid-2013. This has brought down long-term interest rates and provided some support to stock prices. The Fed can provide even more help by extending the maturity of the Treasury bonds it owns and by purchasing more long-term bonds through another round of quantitative easing. But these ideas are not without problems, chiefly that they are becoming less effective in stimulating the economy.

THE FED CAN'T DO IT ALONE

Acknowledging this in his recent Jackson Hole speech, Fed Chairman Ben Bernanke focused attention on fiscal policymakers. Bernanke explained that Congress and the Obama administration must follow through on plans for long-term deficit reduction but also must provide additional near-term support to the economy. Monetary policy alone may not be able to prevent another recession.

Additional fiscal help for the economy wouldn't be desirable or even possible if the federal government's debt costs were rising or if government borrowing were tightening credit for households and businesses. But there is no evidence that such crowding out is occurring. Ten-year Treasury yields have fallen below 2%, a near record. This is in part because of the Fed's actions, but the U.S. also remains the global economy's safe haven. Whenever there is a problem anywhere, the investment of choice is a Treasury bond—witness the current flight to Treasuries sparked by financial turmoil in Europe. Borrowing costs for households and businesses also remain extraordinarily low, with fixed mortgage rates closing in on a record low of 4% and Baa corporate bond yields (the lowest investment grade) nearing a 50-year low below 5.5%.

ASSESSING THE PLAN'S COMPONENTS

The president's jobs plan includes a wide range of temporary tax cuts and spending increases. The plan would cost close to \$450 billion over 10 years, with slightly more than \$250 billion coming from tax cuts and \$200 billion from spending increases. For context, the plan's cost is equal to about 3% of current GDP and just over half the \$825 billion ultimate price tag for the 2009 Recovery Act.

The largest tax cuts include an extension and expansion of the payroll tax holiday for employees and a creative new payroll tax holiday for employers. Employers would be able to cut their payroll taxes in half on up to \$5 million in taxable wages annually. Small businesses, many of whom are cash-strapped, would enjoy a sizable albeit temporary boost in their cashflow. Businesses will also pay no additional taxes on any wages that rise from the year before, up to \$50 million. This would give firms a substantive incentive to increase hiring and should result in a larger economic bang for the buck—additional GDP per tax dollar—than previous job tax credits such as last year's HIRE Act.

The president has also proposed a tax credit for businesses that hire people unemployed longer than six months—a group that, astonishingly, includes half the jobless. The longer these workers remain unemployed, the harder finding work becomes as their skills and marketability erode. Structural unemployment thus rises as a long-term threat; it appears to have already risen from around 5% before the Great Recession to closer to 5.5% currently.

DOING INFRASTRUCTURE THE RIGHT WAY

The Obama plan's most significant spending increases, totaling more than \$100 billion, are for infrastructure. Such development has a large bang for the buck, particularly now, when there are so many unemployed construction workers. It can also help remote and hard-pressed regional economies and produces long-lasting economic benefits. Such projects are difficult to start quickly—"shovel ready" is in most cases a misnomer—but since unemployment is sure to be a problem for years, this does not seem a significant drawback in the current context.

More serious concerns are the expense of infrastructure projects and their often political rather than economic motivation. A creative way to address these concerns is through an infrastructure bank—a government entity with a federal endowment, able to provide loans and guarantees to jumpstart private projects. These might include toll roads or user-supported energy facilities or airports. Private investors and developers would determine which projects to pursue based on what works financially rather than politically. The infrastructure bank would take time to launch, however, and thus would not produce quick benefits.

UNEMPLOYMENT INSURANCE REFORMS

The president also proposes more funding for unemployment insurance, but in combination with some much-needed reforms to the UI system. One idea involves scaling up a Georgia program that places unemployed workers at companies voluntarily for up to eight weeks at no charge to the businesses. Along with their unemployment benefits, workers receive a small stipend for transportation and other expenses, training, and a tryout with the employer that could lead to a permanent job. Employers can potentially abuse the program by recycling unemployed workers, but the program seems to have had some success since it began in 2003.

Another idea to reform UI is to more broadly adopt "work share" as an alternative to temporary layoffs and furloughs. Instead of laying off workers in response to a temporary slowdown in demand, employers reduce workers' hours and wages across a department, business unit, or the entire company. The government then provides partial unemployment insurance benefits to make up for a portion of the lost wages. Work share exists in 17 states and several countries overseas, including Germany, where it is credited for contributing to a relatively strong recovery.

SAVING VITAL PUBLIC JOBS

Like the temporary extension of unemployment insurance benefits, work share has a large bang for the buck, since distressed workers are likely to quickly spend any aid they receive. Work share's economic effectiveness even exceeds that of straight UI benefits, because it reduces both the financial and psychological costs of layoffs. Work share can particularly help firms that expect reductions to be temporary, by reducing their costs for severance, rehiring and training.

Hard-pressed state and local governments would also receive additional relief under the president's plan. While state governments

appear to be working through their near-term budget problems, local governments are still struggling with flagging property tax revenues. The biggest casualties are teachers and first responders, and Obama's plan would help with their salaries through the end of the 2013 school year.

FROM A HEADWIND TO A TAILWIND

The president's plan would provide a meaningful boost to the economy and job market in 2012. Compared with current fiscal policy, the plan adds 2 percentage points to real GDP growth, adds 1.9 million payroll jobs, and reduces unemployment by a percentage point. Federal fiscal policy would go from being a powerful headwind next year to a modest tailwind.

Of the 1.9 million jobs added in 2012 under the president's plan, the largest contributor would be the extended payroll tax holiday for employees, which adds approximately 750,000 jobs. The payroll tax holiday for employers is responsible for adding 300,000 jobs, although this may be understated; quantifying the impact of this proposal is difficult. Infrastructure spending adds 400,000 jobs—275,000 jobs are due to additional unemployment insurance funding and 135,000 jobs result from more aid to state and local governments.

One potential pitfall of the president's plan is that the boost to growth and jobs fades quickly in 2013. Additional infrastructure spending and aid to state and local governments continue to support growth, but the benefits of the tax cuts peter out. The hopeful assumption is that the private sector will be able to hold up as government support abates. While reasonable, it is important to acknowledge that policymakers hoped for the same thing last year when they passed the one-year payroll tax holiday and extended emergency unemployment insurance through 2011.

ALSO NEEDED: HELP FOR HOUSING

The president's plan is large, but in some key respects it is not complete. Most notably, it does not directly address the foreclosure crisis and housing slump, save for some added funding for neighborhood stabilization. The President did mention in his speech that he would be working with the FHFA (Fannie Mae's and Freddie Mac's regulator) to facilitate more mortgage refinancing; this would be a significant plus for housing and the broader economy if he is able to break the logjam in refinancing activity.

With some 3.5 million first-mortgage loans in or near foreclosure and more house price declines likely, it is hard to be enthusiastic about the recovery's prospects. A house is most Americans' most important asset; many small-business owners use their homes as collateral for business credit, and local governments rely on property tax revenues tied to housing values.

Most worrisome is the risk that housing will resume the vicious cycle seen at the depths of the last recession, when falling prices pushed more homeowners under water—their loans exceeded their homes' market values—causing more defaults, more distress sales, and even lower prices. That cycle was broken only by unprecedented monetary and fiscal policy support.

OTHER CRITICISMS

The president's plan will be criticized for many other reasons. Some will argue that he should have proposed massive public works, like the Depression-era WPA. Others will say the plan should have included broader reforms to corporate taxes or even immigration. While these suggestions may have merit as policies, they seem like steps too far given what lawmakers need to do and how quickly they need to do it.

Given the current political environment, it is unlikely that much of what the president has proposed will become law, but nearly all the proposals have some bipartisan support. An extension of the current payroll tax holiday for employees seems most likely to pass and is included in the Moody's Analytics baseline economic outlook. The proposed expansion of the employee tax holiday and the new payroll tax holiday for employers are also possible. The president's spending initiatives, while worthwhile, seem like longer shots.

POLICYMAKERS NEED TO WORK FAST

The risk of a new economic downturn is as high as it has been since the Great Recession ended more than two years ago. A string of unfortunate shocks and a crisis of confidence are to blame. Surging gasoline and food prices and fallout from the Japanese earthquake hurt badly in the spring; more recently, the debt-ceiling drama, a revived European debt crisis, and the S&P downgrade have been especially disconcerting. Confidence, already fragile after the nightmare of the Great Recession and Washington's heated policy debates, was severely undermined.

Whether the loss of faith in our economy results in another recession critically depends on how policymakers respond. Whether they will succeed in shoring up confidence is a difficult call. The odds of a renewed recession over the next 12 months are 40%, and they could go higher given the current turmoil in financial markets. The old adage that the stock market has predicted nine of the last five recessions is apt, but the recent free fall is disconcerting. Markets and the economy seem one shock away from dangerously unraveling. Policymakers must work quickly and decisively.

Mr. LEVIN. This is what Mark Zandi said about the President's job proposal:

[It] would help stabilize confidence and keep the U.S. from sliding back into recession.

[It] would add 2 percentage points to GDP growth next year, add 1.9 million jobs, and cut the unemployment rate by a percentage point.

The plan would cost about \$450 billion, about \$250 billion in tax cuts and \$200 billion in spending increases.

Many of the president's proposals [may be] unlikely to pass Congress, but the most important have a chance of winning bipartisan support.

They deserve bipartisan support. Again, most of these proposals have been made by Republicans, not just by Democrats. But even if we cannot get the Republicans to support the proposal—because at least on the spending side it is the President's proposal; on the revenue side, it is now a Democratic Senate proposal in terms of the millionaires' surcharge—but if the Republicans will not vote for it, if they will not offer a substitute, an alternative of their own, if they will not seek to amend it to improve it, for heaven's sake, allow us to take up this bill.

Mr. BROWN of Ohio. Will the Senator yield?

Mr. LEVIN. I am happy to yield.

Mr. BROWN of Ohio. I say thank you to Senator LEVIN.

Yes, I try to explain this. I was on some radio calls this morning with stations in Dayton and Cincinnati and all over the State, and the questions they

asked were just that: Wait a minute, OK, I understand people being against a proposal, but why would the leader of one political party say about a jobs bill—when unemployment is this high in the Senator's State and my State and millions and millions of Americans want jobs and cannot find them—why would they say: Let's not even put it on the floor for discussion.

The rules of this place are peculiar, obviously, but why would you say: I am not even willing to bring it up for a vote. I am not even willing to debate it. I am not even willing to set the stage so we can discuss it.

People do not want to hear about process. I understand that. But people do want us to do something about jobs. The first step is, you have a debate—you bring the bill forward, you have a debate, you offer amendments, and then you come up with something.

Last night, as you recall, I say to Senator LEVIN, right before the jobs bill vote, we had a huge bipartisan vote, with 63 votes for the China currency bill. To do what? I know the Senator has advocated for years that we have a level playing field in our dealings with China so that so many Chinese companies do not get an advantage selling here and so that so many Michigan and Ohio companies do not get a disadvantage—a currency tax; a tariff, if you will—when our companies in Michigan and Ohio try to sell into China.

So I guess I am curious as to the Senator's thoughts on why we would not even set up ourselves—why Republicans would not want to at least come together and say, let's debate it. Then maybe we can make some interesting amendments we can come together on, like we came together bipartisanship just 24 hours ago—less than that—fewer than 24 hours ago, to come up with a real jobs bill.

Mr. LEVIN. I wish there was an explanation which was satisfactory or an answer which was satisfactory to Senator BROWN's question. I am afraid the only answer I can come up with is because this started off as President Obama's job bill. It has been changed. Now we have a different source of funding for it. We have a millionaire's surcharge in there which will fund these critically important programs, these job-creation programs.

I cannot think of any other reason, other than they think it will simply go away. What is an explanation? Maybe it was in the unanimous consent request of the Republican leader last night: I ask unanimous consent that this bill not be amendable—no amendments would be in order under his unanimous consent proposal—and then when it does not get 60 votes, which he knew it would not get, that it be immediately returned to the calendar.

That is what he asked twice last night—immediately be returned to the calendar. The Republican leader wants this bill to go away. It cannot go away. It should not go away. It will not go

away. The majority leader has already said he is going to move to reconsider the vote last night. I expressed the hope, in my remarks, that the President use his bully pulpit not just to support the jobs bill, which is critically important—he is doing a good job as he goes around the country—but to make it clear where the obstruction is; that the Republicans will not allow us to consider a jobs bill, amend it if they want to try, substitute their own if they have one, which so far they do not. But let us debate this bill. I hope the bully pulpit of the President is used, not just to support a jobs bill, which is so critically important, but to point out where the obstruction is.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN.) The Senator from Rhode Island.

Mr. REED. Mr. President, I wish to join Chairman LEVIN in his plea that we be allowed to consider this legislation. The greatest crisis we face in the United States, for families all across the country, is jobs. The President has proposed a bill that is going to help us begin to deal with that job crisis, and he proposed a way to pay for it. An overwhelming portion of the country, the polling is definite, supports the President's proposal and our proposal, as modified by Senator REID, to have a surcharge on individuals making over \$1 million.

So we have a bill that responds to the greatest need, that is paid for by doing what the American people overwhelmingly want us to do, and we cannot get it on the floor for debate, for amendment, and finally for passage. We are not able to respond to this crisis because we have been frustrated by our colleagues who refuse to let us take up the bill. The American people are demanding we act—the message is being sent far and wide in many different mediums—and we get it directly from home, and it is: Do something. It might not be perfect. It might not solve the problem immediately. But do something. Do not just stop debate, stop progress, stop discussion on the issues that are so critical to this country.

Again, we are in a serious jobs crisis. We have seen the latest job report showing some sort of improvement but not enough, and we have to do more. If we do not pass the American Jobs Act, then we are going to be in a situation where—and this is one of the great ironies—the deficit will get worse, not better. One of the most direct ways to begin to deal with the deficit is to put people to work so they can resume their participation in the economic life of this country and contribute not only to their own well-being and that of their family but the growth of the country, and the robustness of our economy. In that way, we can address the deficit.

So this refusal to act does not even serve the goal of deficit reduction. Again, I wish to emphasize this: We have a bill that has measures in it that

are proven, that are bipartisan, that will put people to work, and that are fully paid for by a tax that is overwhelmingly supported by the American people. If we do not act, the jobs crisis and our deficit will persist.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to thank the Senator from Michigan for bringing us together and making the point, as clearly as we can make it, that last night we had a chance to launch maybe the most important single issue in debate that we can consider in the Senate. We had a chance to bring both parties to the floor of the Senate and ask for the best ideas each of us has to move the economy forward.

The President has a plan. I think it is a good one. I support the plan. I think it is a reasonable way to move this economy forward and put people to work. But it is the nature of the legislative process that some will disagree with one aspect of it, some with others, and Members may have their own ideas to bring to the floor. That is what this branch of government is all about, that we have this debate, an open debate, Democrats and Republicans on the floor, and at the end of the day vote on something to move forward with together.

But last night not one single Republican Senator would join us in an effort to bring this matter to a debate on the floor. In fact, the Senator from Michigan has made the point over and over that the Republican filibuster requiring 60 votes to break the filibuster is stopping the majority from acting in the Senate on the issue of creating jobs—a Republican filibuster. That is problematic. It is troublesome. It is frustrating.

Because I am sure in Michigan, where they have been wracked for years now with unemployment and businesses struggling—we have similar problems in Illinois, 14 million Americans unemployed across the board. Take a look at what the Senator from Kentucky comes and tells us every day as Republican leader. He tells us that one of the big problems with this bill, as he sees it, is it is paid for. He does not like the fact that President Obama has paid for it and certainly does not like the way he paid for it. The way he paid for it is to impose a surtax of 5.6 percent on people making more than \$1 million a year. That generates enough revenue, over a 10-year period of time, that we can give a payroll tax cut to working families across America, and we can provide tax incentives for businesses to hire unemployed veterans and people who have been out of work for a long time.

The money generated from that millionaire's tax is going to end up allowing us to save, in my State, 14,000 teacher, firefighter, and policemen jobs that otherwise would be lost. It will allow us to put money into modernizing our schools—which we need to do

in Illinois and across the country, in Minnesota, Michigan, in Montana and every State and to build the basic infrastructure that America needs to be successful. Senator MCCONNELL has said over and over, he will not agree to this tax hike.

Let's take a look at what middle-income Americans are paying as an effective Federal tax rate as opposed to the wealthiest in America, the point made over and over by President Obama and a point worth repeating today. Middle-class families in America, people making between \$50,000 and \$75,000 a year have an effective Federal tax rate of 14.9 percent. The wealthiest 1 percent, those making over \$1 million a year, their effective Federal tax rate, 12 percent; 14.9 percent for middle-class families, working families; 12 percent for the wealthiest. What is wrong with this picture? What is wrong with it is that working families across America struggle paycheck to paycheck, and they are paying a higher Federal tax rate than the wealthiest people in America.

I think everyone in America has to sacrifice. Now I know, some of the most vulnerable in America cannot. Physically, mentally they cannot rise to this challenge. But the rest of us, for goodness' sake, have to be prepared to sacrifice. Working families are already sacrificing, living paycheck to paycheck. To ask the wealthiest people in America, who are comfortable in this country because of the greatness of our economy, this open and transparent system, this rule of law we have, to ask them to pay a little more so America can move forward is not unreasonable.

I would say this: At the end of the day, when the economy picks up and moves forward, and it will, the folks in the highest income categories are going to do quite well. It is the bottom line. They are going to do well. The ones I have run into, the ones I have talked to who are fortunate enough to be in this category—I know a few of them—say: This is not unreasonable, Senator. Why do the Republicans oppose \$1 in additional taxes to get the American economy moving forward?

But that, of course, is the reason the Senate Republicans, not a single one of them, would support bringing this jobs bill from the President to the floor. A second reason is fairly obvious. It is the President's plan. For many of them they are in full campaign mode now. They do not want to give this President anything that looks like a victory. So they are not going to vote for anything that has his name on it. In fact, they will oppose things which historically they have supported. When President Bush came forward with his own stimulus plan to create jobs, supported by the Republicans, it had a payroll tax cut in it—a payroll tax cut for working families. It also had tax breaks for businesses to hire the unemployed. That is what President Obama proposes, and now the Republicans have said: Oh, we liked it as a Bush plan. We do not like it as an Obama plan. What is the difference? The name.

I do not think the American people are going to cut us any slack if they believe we are spending more time designing bumper stickers for next year's election than we are in designing an economy that moves this country forward. I think they expect us—they demand of us—that we respond to this. When the Republicans impose a filibuster on President Obama's jobs act it is wrong. Let us have, as Senator REID asked for last night, let us have the motion to proceed, let's get on this matter, and let's do it this week.

I wish to say a word as well—Senator MCCONNELL comes to the floor frequently and says: Whoa. There is a big jobs bill coming up, the trade agreements. Listen, trade agreements can expand opportunity for the sale of goods and services. That is a fact. But when we look at the scheme of things and look at these trade agreements, the proposal I have read says the South Korea Trade Agreement would expand U.S. exports by \$10 to \$11 billion and support up to 70,000 jobs. That is a lot of money and a lot of jobs, except when we look at the universe—\$10 to \$11 billion in additional exports to Korea at a time when we have a \$15 trillion economy. Good but not good enough. We need to make sure we are expanding jobs at a greater rate to get people back to work. The other two trade agreements are much smaller in comparison. So to argue that these trade agreements are the engine that will pull us out of the ditch and drive the economy forward is to completely overstate the positive impact which they might have.

I would say to my friends on the Republican side, do not believe that voting for a trade agreement that generates \$10 billion more in exports and 70,000 jobs will solve the problems we face in America.

Yesterday, I went to a place called Career Tech in Chicago, funded by the Federal Government, an effort to take people who have been out of work for a long time and get them back into the workforce. They are introducing workers who had successful careers at businesses that closed to a new world, the world of social media, the world of information technology. They are learning. With that new education and training, they are getting new jobs.

I asked them about what life was like unemployed. Some of them have been out of work for over 2 years. I said to them: The President wants to extend unemployment benefits for those out of work. A lot of folks on the other side of the aisle are saying: Oh, we already tried that. We are not going to try that again. I said: What would happen to your family without unemployment benefits? To a person they said: I am not sure if we could have survived.

They are basically making the mortgage payment, paying utility bills, putting food on the table—the basics. So if the Republicans are opposed to unemployment benefits for those who cannot find a job, no matter how hard they

try, unfortunately, that is going to have a devastating impact on working families across America.

For a footnote, I asked each one of them: What happened to your health insurance when you lost your job? They lost their health insurance. Think about it, Mom and Dad. Think about your responsibility to one another and to your kids with no health insurance. I mean, that is what happens to an unemployed person. Life is not a crystal staircase for these folks. They are just basically trying to get by and find a job. We need to help them. It is time for the Republicans to stop the filibuster and bring the Obama jobs bill to the floor. If they have better ideas, present those ideas as amendments. Our people will present their ideas. Let's have a full-throated debate about moving America forward. But for goodness' sakes, let's not stop the American economy cold in its tracks in an effort to preserve a Republican filibuster.

It is time for us to move together in a bipartisan nature as a Congress in both political parties. I thank my colleague from Michigan for bringing us together for this conversation. There is nothing more topical that we face.

Mr. LEVIN. Mr. President, Colombia remains the most dangerous country in the world for trade unionists and workers seeking to exercise their internationally recognized right to organize and bargain collectively. The International Trade Union Confederation reported that in 2010 Colombia had 49 union worker assassinations. That is more than the rest of the world combined. To make matters worse, a 2011 ILO report found that the majority of the cases of violence against workers in Colombia had not been investigated nor had the perpetrators been brought to justice. That is simply unacceptable and the United States should not enter into a free trade agreement with a country with such an atrocious human rights record.

The Colombian government has failed to enforce its laws, adhere to its international commitment on worker rights, or to prosecute those who commit acts of violence against workers. This repression of fundamental labor rights presents a threat to the lives of the workers in Colombia and a threat to the livelihoods of the workers in the United States who are forced to compete against a country that doesn't play by the rules.

I have written several letters to the administration expressing concerns about entering into a free trade agreement with Colombia until these worker rights abuse concerns are adequately addressed. The agreement before us does not adequately address them, and as a result I will oppose H.R. 3078, the U.S.-Colombia Free Trade Agreement Implementation Act.

The Obama administration recognized the need to address these concerns before the free trade agreement

could be submitted to Congress and reopened the Bush administration-negotiated U.S.-Colombia FTA to try to address them. That resulted in the action plan related to labor rights agreement reached between the U.S. and Colombia on April 7, 2011.

The action plan lists steps Colombia must take to improve its record on antilabor violence and, if rigorously implemented and enforced, could protect Colombian workers' internationally recognized rights. Unfortunately, we gave up any leverage we had to ensure this outcome would occur when we failed to link the action plan to the FTA or its implementing legislation. Both House and Senate Democrats during committee mark up of the bill proposed an amendment that would have created a link between the two, but Republicans blocked any reference to the labor action plan in the Colombia FTA.

I disagree with the administration's conclusion that Colombia has made enough progress on implementing the Action Plan to send the U.S.-Colombia FTA implementation act to Congress. Because this free trade agreement is being considered under fast-track procedures, Members of Congress like me, who would like to amend it to make improvements such as linking entry into force of the Colombian FTA to Colombia meeting its obligations under the action plan, cannot do so.

Yes, Colombia may so far have technically met its commitments under the action plan. But it has done this only in the narrowest sense, and not in a way that really tries to address the labor problem. For instance, in Colombia, only workers who are directly employed by a company or business can form a union and collectively bargain. To get around allowing workers to form unions and collectively bargain, Colombian employers have formed cooperatives, or made other arrangements to hire their employees as contractors rather than as direct employees. The action plan addressed these abuses by requiring Colombia to pass legislation and regulations to prohibit such misuse of cooperatives and contract employees. Colombia did pass legislation and regulations that looked good on paper, but they were undermined when Colombia decided to narrowly interpret the new law and regulations as applying only to cooperatives. This leaves plenty of ways for employers to continue the same practice under a different guise.

Given the lack of full implementation of the action plan to date, and without a provision explicitly inking implementation of the FTA to Colombia addressing anti-union violence, impunity and fundamentally deficient labor laws under the action plan, the legislation is fundamentally flawed and I cannot support it.

I recognize that we currently do not have two-way trade with Colombia because most Colombian exports enter the U.S. duty free under the Andean Trade Preferences Act. Some might say

we should adopt the U.S.-Colombia FTA so U.S. exports can face lower tariffs in Colombia. But Colombia's market is small compared to the U.S. economy and as a result the ITC estimates the overall effect of the U.S. Colombia FTA on the U.S. economy is likely to be small. To me it is more important to insist that any country to which we enter a free trade agreement abide by internationally recognized labor standards and that plans to implement compliance actions be enforceable.

Mr. President, I will vote in favor of H.R. 3080, the United States-Korea Free Trade Agreement Implementation Act. I will do so because the Obama administration has succeeded in improving the automotive provisions in the Bush administration-negotiated original agreement. The result is that U.S. made vehicles now have a better opportunity to gain access to the historically closed South Korean market.

For too long, trade with South Korea has been a one-way street. The American market has been open and South Korea's market persistently closed by using a combination of tariff and non-tariff barriers constructed to keep U.S. products out. This was most pronounced in the automotive sector, which makes up the majority of our trade deficit with South Korea. For instance, in 2010 South Korea shipped 515,000 cars to the United States while U.S. automakers exported fewer than 14,000 cars to South Korea. In 2010, we ran a \$10 billion trade deficit with South Korea. Our trade deficit with South Korea in the automotive sector accounted for all of that \$10 billion. Correcting our deficit in the automotive sector would go a long way to fixing our overall trade deficit with South Korea.

The original 2007 U.S.-Korea FTA negotiated by the Bush administration was fundamentally flawed. The agreement called for significant concessions from the United States but would have perpetuated a skewed playing field that unfairly disadvantages U.S. automotive exports. It would have left in place the ever-shifting regulatory regime South Korea has used to effectively bar U.S. autos from the South Korean market. For example, South Korea has imposed so-called auto safety regulations that are unique to Korea and don't have anything to do with safety such as the location of towing devices or headlights or the color of turn-signal lamps. This means that no vehicle built outside of Korea can be sold in Korea without special and expensive modifications and testing to meet these Korean requirements.

The failure to address these and other arbitrary, ever-changing regulations was one of the main reasons the agreement was not brought before the Congress for approval for so long. I was opposed to that agreement and as co-chairman of the Senate Auto Caucus I spoke out against it.

I am pleased that President Obama recognized the importance of the U.S.

automotive industry and reopened the agreement to negotiate significantly improved terms for U.S. auto exports to South Korea.

Importantly, the revised agreement will prevent South Korea from relying on discriminatory, rotating safety regulations as it has in the past to keep out U.S. auto imports. It does this by requiring South Korea to recognize 25,000 vehicles built to meet U.S. safety standards per automaker per year as meeting South Korean safety standards. This is an increase from 6,500 in the 2007 agreement. The revised agreement also includes an auto-specific safeguard designed to protect against potential surges of South Korean cars and trucks once the applicable tariffs are eliminated.

Under the original 2007 agreement, almost 90 percent of South Korea's auto exports to the United States would have received duty-free access. But why should we have reduced our few remaining tariffs to South Korean auto exports unless we were assured greater access to the South Korean markets for our auto exports? For instance, the U.S. auto tariff is only 2.5 percent compared to the South Korean auto tariff of 8 percent. The revised agreement corrected this inequity by reducing Korea's 8 percent duty to 4 percent immediately and to zero in year 5 while delaying elimination of the duty on South Korea's auto exports until year 5, giving U.S. automakers the time to build a brand and distribution presence that will reverse decades of South Korean protectionism.

The 2007 agreement was flawed also in how it dealt with the growing field of electric vehicles. The 2007 agreement would have allowed for a 10-year phase-out of the 8 percent South Korean tariff on hybrid electric passenger vehicles and the 2.5 percent U.S. tariff. That was not a fair deal for U.S. electric car exports. It's bad enough that the current South Korean electric car tariff is more than three times the U.S. tariff. The 2007 agreement would have locked in place for 10 years South Korea's electric car tariff advantage. Why in the world would we agree to that? Thankfully the Obama administration did not. Under the revised agreement, the South Korean tariff on electric cars immediately drops from 8 percent to 4 percent. Then the 4 percent South Korean tariff and the 2.5 percent U.S. tariff are phased out over 5 years. Though the tariffs are still not completely symmetrical, it's a big improvement over the original deal. And importantly, this phase-out now tracks the EU-Korean FTA, so U.S. automakers will now not be disadvantaged compared to European auto makers in the South Korean market as they would have been under the 2007 agreement.

Stakeholders, including Members of Congress, the United Auto Workers and U.S. auto companies, pushed hard for improved market access in the U.S.-Korea FTA. Thanks to the improvements the Obama administration has

negotiated, the UAW, Ford, GM and Chrysler as well as the Motor & Equipment Manufacturers Association, MEMA, among others, support the agreement. They think it will result in their being able to sell more U.S.-made vehicles in South Korea. Specifically, Chrysler has stated that as a result of the FTA it expects to sell 20,000 units per year in South Korea by the end 2014 compared to the paltry 2,638 passenger vehicles it sold there in 2010, and that the company plans to expand its dealer network to 30 outlets from the current 16.

These additional U.S. auto exports translate into badly needed American jobs. The 2007 ITC report on the expected impact of the U.S.-Korean FTA estimated U.S. exports to South Korea would increase by \$10–\$11 billion annually. The administration estimates that an additional \$11 billion in exports would mean around 70,000 more jobs annually. In an updated ITC report requested by Senator WYDEN to assess the impact on American jobs of the FTA tariff and tariff rate quota reductions on goods based on current economic conditions, the ITC concluded that the agreement has the potential to create about 280,000 American jobs.

The agreement also has strong labor and environmental provisions that were agreed to in May 2007 at the insistence of Democratic Members of Congress, led by my brother, Congressman SANDY LEVIN, the ranking member of the House Ways and Means Committee. They include the enforcement of a commitment to adopt and enforce internationally recognized labor and environmental standards and agreements.

It is high time we insisted on a different trade model that fights for a level playing field for American exports and American workers. I believe the revised U.S.-Korea FTA moves significantly toward that model and I will vote in favor of the legislation to implement it.

Mr. President, I will support legislation to implement the U.S.-Panama Free Trade Agreement. The Obama administration has taken important steps to address concerns about worker rights and environmental protections in Panama that represent a significant improvement over the original agreement negotiated by the Bush administration. And, after years of pressure from those of us concerned about the abuse of offshore tax shelters, Panama has finally removed a major impediment to this free trade agreement by agreeing to and beginning to implement a tax information exchange agreement.

For 6 years, the Bush administration failed to conclude a tax information exchange agreement with Panama. In 2009, I joined with Congressman DOGGETT in a letter to President Obama making clear that we could not support a free trade agreement with Panama unless that country upheld its international obligations under the Organi-

zation for Economic Cooperation and Development's standards for transparency. The OECD found in September 2010 that Panama has "potentially serious deficiencies" in its laws on tax transparency. Thanks to pressure from the OECD, the Obama administration and those of us in Congress who oppose offshore tax haven abuse, Panama negotiated an information exchange agreement that took effect earlier this year.

Panama also agreed in negotiations with the Obama administration to uphold internationally recognized labor rights, making changes in its laws to protect collective bargaining rights. These changes have removed a major obstacle to approval of this free trade agreement.

With Panama's agreement to meet international standards for tax transparency and labor rights, I believe the agreement before us will protect workers in both countries, and the interests of U.S. taxpayers who are tired of seeing others dodge their tax obligations using offshore tax havens.

Mr. LIEBERMAN. Mr. President, I rise to urge my colleagues to lend their swift support to the pending free trade agreements with South Korea, Colombia, and Panama that have at last come before this Chamber. In approving these FTAs, we have an opportunity to show the American people that we in Congress are prepared to set aside partisan politics and come together to do something truly important to help our nation at a time when our economy is under unprecedented pressure.

Simply put, free trade agreements like the ones before us today are not a choice for the United States—they are a necessity. As President Clinton used to point out, only 4 percent of the world's population lives in the United States, and there is only so much we can sell to each other. Creating new jobs and growing our economy requires tapping into the other 96 percent. And that requires breaking down trade barriers and lowering tariffs so that American goods can reach more consumers at a price they can afford.

That is precisely what these three FTAs will accomplish. This legislation is a jobs bill that won't add a dime to the deficit. Instead, it will add \$10 to \$12 billion to our GDP, grow U.S. exports by \$13 to \$15 billion, and support an additional 100,000 American jobs.

These FTAs are not only critical for our economic recovery, however. They are essential to our global leadership and our national security.

In the case of the Korea-U.S. FTA, known as KORUS, the success or failure of this measure is inseparable from U.S. leadership in the Asia-Pacific region. The balance of power in Asia will determine the shape of the 21st century and whether it will be an American century or a Chinese century. Our friends and allies across this region are looking to Washington. In the face of a rising Beijing, they want to know if

the U.S. is a country they can count on, or whether we are in retreat. From Japan to India to Australia, there is no test for American leadership today that is more urgent than approving our FTA with South Korea.

That is because the competition for the future in the Asia-Pacific is as much about economic power as it is about military power. Since 2000, approximately 50 free trade agreements have been put in place in East Asia alone, with approximately 80 additional agreements currently under negotiation. The United States is party to just four FTAs in the Asia-Pacific region.

Passing KORUS is the first step to righting this wrong and restoring a balance of economic power that favors America. Doing so will send an unequivocal message across the Asia-Pacific of American strength and commitment. It will also deepen one of our most important alliances in the world, with the Republic of Korea—a dynamic, free market democracy that has climbed from the depths of poverty and the devastation of war to become a model for the entire planet and a great global ally in the cause of freedom.

The economic benefits of KORUS are also extraordinary. This FTA will increase exports of American goods to Korea by around \$11 billion once the agreement is fully in effect, supporting as many as 70,000 additional jobs here in the United States.

The agreement will also grant American firms greater access to Korea's \$580 billion services market, creating new jobs for American workers in sectors from delivery and telecommunications services to energy and environmental services.

While South Korea is on the cusp of becoming our third-largest free trade partner after Canada and Mexico, free trade agreements with Colombia and Panama also offer enormous opportunities for the United States and will open the way for tremendous growth here in our own hemisphere.

Colombia is the oldest democracy in Latin America and one of America's most steadfast allies in that region. Like South Korea, Colombia is a great global success story—a country that has overcome narco-insurgency and terrorism, and a pro-American bulwark against Hugo Chavez's corrupt authoritarianism.

By completing this FTA, the U.S. will strengthen not only our Colombian allies, but also our shared values of democracy, rule of law, and the free market across Latin America.

The U.S.-Colombia FTA will also strengthen our own economy—expanding U.S. exports by more than \$1.1 billion, increasing U.S. GDP by \$2.5 billion, and creating thousands of U.S. jobs. Keep in mind, currently Colombia collects \$100 in tariffs on U.S. exports for every \$1 the United States levies on Colombian goods. With this FTA, that will end.

Similarly, the U.S.-Panama FTA will eliminate tariffs and other barriers to

U.S. exports, promote economic growth, and expand trade with one of the fastest growing economies in Latin America. American companies will be granted immediate access to Panama's \$21 billion services market, including priority areas such as financial services and telecommunications. Panama's economy expanded 6.2 percent in 2010, with similar annual growth forecasts through 2015. All of this translates to more opportunities for American workers.

Some have argued that free trade agreements threaten to increase our trade deficit. However, as the U.S. Department of Commerce recently pointed out, in recent years, U.S. manufacturers have run a \$47 billion trade surplus with our FTA partners; by contrast, we have incurred a trade deficit of \$823 billion with countries where no FTAs are in place.

Time is of the essence. If we delay any further on these agreements, it will cost our country dearly in jobs and growth. The rest of the world is not standing still.

The European Union finalized a free trade agreement with South Korea over the summer, and Canada implemented a free trade agreement with Colombia just weeks ago. If we do not act, jobs and market share that could have gone to U.S. companies will instead head to their competitors in Europe and Canada. That is why we must act now.

In conclusion, let me underscore how important it is that these FTAs are the beginning, not the end, of a revived American global trade agenda. In order to get our economy back on track, in order to create the new jobs we need, in order to lead the world economically, the U.S. must have a forward-looking, optimistic trade liberalization vision.

That is true not only in the Asia-Pacific and Latin America but also in the Middle East where millions of people who have long suffered and stagnated under thuggish dictators are at last grasping for greater political freedom and economic opportunity. More than foreign aid, countries like Tunisia and Egypt need the U.S. and Europe to lower trade barriers. That is why I believe so strongly that the U.S. should immediately begin negotiations for an FTA with Tunisia. Tunisia is a small country, but it is the place where the Arab Spring began and consequently critical to the future of Arab democracy.

I strongly urge the Obama administration to begin negotiations on a free trade agreement with Tunisia as quickly as possible. The freer the flow of world trade, the stronger the tides for economic progress, prosperity, democracy and peace will be.

Beginning today with the passage of these critical free trade agreements with South Korea, Colombia and Panama, we take another step towards restoring our economy and strengthening our global leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I will yield briefly to the Senator from Montana, and I ask that we set an order. I thought I was scheduled to speak, but apparently it is up in the air. I will defer to the Senator from Montana and ask unanimous consent that I be allowed to follow him.

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

The Senator from Montana.

Mr. BAUCUS. Mr. President, the English poet, Thomas Gray, once said: "Commerce changes the fate and genius of nations."

The United States has always understood that commerce improves our fate and sharpens our genius. We know opening the channels of commerce creates new opportunity, generates new ideas, and forms new partnerships.

We know global commerce makes us more competitive, more innovative, and more productive—but also sometimes more difficult.

Today, the Senate has a historic opportunity to build on this legacy by approving our free-trade agreements with Colombia, Panama, and South Korea. These agreements will increase exports of U.S. goods and services. They will create tens of thousands of good-paying American jobs. They will bind us even more closely to the three important allies.

Colombia, especially, has returned from the brink of becoming a failed state to being the third largest economy in Latin America and one of its most respected leaders. It is astounding just how far Colombia has come. It has a lot further to go, but considering the state of Colombia 15, 20 years ago, with the narcotics trade, paramilitary forces, and assassinations, it is amazing how far they have come. A lot of this goes to the courage of the Colombian people, and especially to the leaders. It has not been easy, to say the least.

Panama is the crossroads of global commerce and among the fastest growing economies in the Western Hemisphere.

South Korea is the world's 15th largest economy, our seventh largest trading partner, and a strategic ally in a very volatile region of the world.

Now, more than ever, we need to expand commerce and improve our economic fate. Clearly, with unemployment at 9.1 percent, our economy is growing too slowly. Consumer demand is too weak, and American workers, farmers, and ranchers are desperately seeking new markets and customers for their products.

The Colombia, Panama, and South Korea trade agreements will help U.S. exporters gain new customers in three lucrative and fast-growing markets. They will increase U.S. exports by up to \$13 billion each year. They will boost our GDP by more than \$15 billion, and they will support tens of thousands of urgently needed American

jobs. It will help the jobs picture—clearly, it will not solve it, but it will help.

These agreements will help folks such as Errol Rice, a fifth generation cattle rancher from Helena, MT. Earlier this year, Errol testified before the Finance Committee on the importance of the South Korea trade agreement. He told us that South Korea is the fourth largest market in the world for U.S. beef, and it is growing rapidly.

Errol welcomed the commitments I secured to increase funding for market promotion and fully implement our bilateral beef import protocol. But he underscored that our position in the South Korean market is at risk. Australia, a large beef exporter, is racing to conclude its own trade agreement with South Korea. By approving our agreement with South Korea today, we will help Errol and all American ranchers maintain their competitive edge, increase sales, and create jobs in their communities.

Trade agreements improve our economy only if they create a level playing field for U.S. exporters. We cannot allow our trading partners to gain unfair advantage by failing to respect workers' rights or protect the environment.

That is why the Colombia, Panama, and South Korea trade agreements include robust labor and environmental commitments that were basically made in 2007, with all the labor and environmental framework included in these agreements. These commitments require our trading partners to uphold internationally recognized labor rights, including the right to organize and bargain collectively. That is in the agreement.

They also required our partners to protect the environment, and these obligations are fully enforceable, just like the commercial obligations in the agreements. In many cases, our free-trade agreement partners have gone the extra mile to meet our high standards. Colombia is the best example. Many of us are concerned about labor violence in Colombia. We believe the death of even one union member is one too many.

I urge my colleagues to consider the progress Colombia has made in recent years and the commitment of the Colombian Government to continue that progress.

Colombia demonstrated this commitment in April when President Obama and Colombian President Santos agreed to the Labor Action Plan. In that plan, Colombia made specific and groundbreaking commitments to strengthen worker rights, protect workers from violence, and prosecute the perpetrators of violence.

Colombia has fulfilled every commitment to date. It has hired 100 new inspectors to enforce workers' rights. It has cracked down on the abuse of cooperatives. It has expanded protection of union members. It has sentenced to prison 47 people found guilty of killing

union members. There is still more to be done, but Colombia has demonstrated remarkable progress.

By approving the free-trade agreement, we will be able to enforce labor rights in Colombia, including the rights addressed by the action plan. If we reject the agreement, however, we lose our ability to ensure that labor conditions in Colombia will continue to improve. This is a very important point. Other countries' trade agreements with Colombia don't have the labor protection provisions. The U.S. one does have labor protection provisions that are very strong. If we don't ratify this agreement, then workers in Colombia will not be protected because other agreements don't protect them.

These trade agreements will also help us rise to the challenge of China. Today, China is the No. 1 trading partner for South Korea and No. 2 partner for Colombia and Panama. If we approve these agreements, we will give American exporters a leg up on competitors from China and other countries. If we reject them, China's advantage and influence in these markets will only grow.

After we approve these agreements, we should begin thinking about the next steps for our trade agenda. We should invite our new free-trade agreement partners to join the Trans-Pacific Partnership, or TPP, negotiations. We need to negotiate a Trans-Pacific Partnership Agreement and extend these agreements to better facilitate even more jobs in America.

Colombia, Panama, and South Korea have demonstrated that they are willing to make the far-reaching commitments that our trade agreements require. Their participation in the TPP negotiations will help us achieve a high-standard 21st-century agreement that spans the Pacific.

Thomas Gray was correct when he said commerce changes the fate and genius of nations. There is no better example than the United States. We have benefited greatly from trading with foreign nations. In these tough economic times, we need to embrace these benefits now more than ever. For the sake of American exporters seeking to grow and create jobs, let's approve these three free-trade agreements.

One final point. I think it is fair to say that as we engage in commerce worldwide in countries around the world, we are not totally pure. We don't wear white hats, and other countries are not Darth Vaders and wear black hats. But it is true the shade of gray of our hats are a lot lighter shade of gray than the shade of gray of their hats, which is a darker shade. That is especially true in the American, Asian, and African countries—maybe a little less true in European countries.

These agreements are no-brainers. Why do I say that? Because with respect to Colombia and Panama, products, goods, and services coming to our country today are virtually duty free, virtually no tariffs, or nontariff trade barriers.

On the other hand, American products going to those countries today face very high tariffs and trade barriers, especially with agriculture but also in manufacturing goods. The figures are quite startling, frankly. So it is a no-brainer. These are, for the first time virtually, free-trade agreements. It is a freebie for U.S. exporters and American companies exporting products into Colombia and Panama. They are really free.

With respect to Korea, it is very similar. Korean manufacturing tariffs, tariffs that Korea has on U.S. goods are more than twice as high as U.S. tariffs on Korean-manufactured goods. Tariffs that U.S. companies face in trying to export to Korea are twice as high today as are the tariffs the Korean manufacturers face when they try to sell products in the United States. The average Korean tariff on U.S. agricultural goods is 54 percent. The average tariff on American agricultural goods that we are trying to sell in Korea is 54 percent, about 5 times as high as the tariff on Korean agricultural products as they attempt to ship to the United States.

That is why this is a no-brainer. This is so simple. Everybody should be for this agreement. It creates a more level playing field. I urge my colleagues to support this agreement. When they read the agreement and understand the terms, it should go through with no opposition because we are, in fact, helping Americans, American jobs.

The only wrinkle I hear about is Colombia. I have been there. When one is in Colombia—and I have known their leaders, the past two Presidents—it is clear that they have made huge progress. If we reject this agreement, I submit that the progress made thus far will slip, and the conditions in Colombia will start to deteriorate.

We must pass these three trade agreements. Also, the U.S. political-geopolitical position in South America is critical. If we adopt this agreement, that will enhance America's geopolitical position in South America. If we don't do it, Colombians are going to say: We have given up on the United States. We have been trying to negotiate this for over 5 years. Then where are they going to go? They will embrace Venezuela or China.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I also rise today to speak in favor of the pending free-trade agreements with South Korea, Panama, and Colombia.

More than 50 million Americans work for companies that engage in international trade. Currently, U.S. exporters operate at a distinct disadvantage in countries where U.S. goods face high tariffs or discriminatory regulations. Passage of these three free-trade agreements will erase those disadvantages and allow our American businesses to compete on a level playing field in the global marketplace.

For far too long, these trade agreements have sat on the President's desk. This delay has hurt our competitive advantage and cost American jobs. Moreover, the administration's slow walk of these bills has encouraged some of our major trading partners to go forward and quickly negotiate their own trade agreements with South Korea, Panama, and Colombia, putting their workers at an advantage over U.S. workers.

Canada has already approved trade deals with both Colombia and Panama. The European Union has passed agreements with all three countries. Canadian and EU workers and farmers are reaping the advantages of greater access to these markets.

Creating jobs, increasing investment, and growing the U.S. manufacturing and farming sectors should be our top priority. With a 9.1-percent unemployment rate, this is a no-brainer: export more, make our products more competitive by lowering the tariffs, and create jobs in America. What could be more clear?

If we fail to act, American businesses will continue watching from the sidelines as other countries enjoy duty-free trading and continue to gain an advantage over American companies and employees.

It has been estimated that failure to implement just the Colombia and South Korea Free Trade Agreements would lead to a decline of \$40.2 billion in U.S. exports. The net negative impact on U.S. employment from these trade and output losses could total nearly 400,000 jobs.

Small businesses in America will be the largest beneficiary of these free-trade agreements. These are the businesses that account for the largest group of U.S. exporters. Indeed, more than 97 percent of the U.S. companies that export are small businesses, and they account for one-third of the total U.S. merchandise exports.

Our farmers and ranchers will also benefit from these agreements as the exports of our agricultural products have historically suffered from high tariffs and other nontariff barriers.

South Korea. The South Korea Free Trade Agreement will be America's largest free-trade agreement in Asia. South Korea is our Nation's seventh largest trading partner and the United States is South Korea's third largest trading partner. The White House has estimated that when the free-trade agreement with South Korea is fully implemented, U.S. exports to South Korea will increase by \$11 billion annually and add as many as 70,000 U.S. jobs.

The pending agreement will open the door for increased U.S. exports to South Korea of our automobile products, which are among the U.S. industries and workers that will benefit. It should also be noted that approval of this free-trade agreement will send a strong message that we stand with our

allies in Asia and will further strengthen our long and positive relationship with South Korea.

Right here in our own hemisphere, the implementation of the U.S.-Panama Free Trade Agreement will guarantee American companies access to Panama's \$21 billion in services. This includes priority areas in financial, telecommunications, computer, distribution, express delivery, energy, environmental and professional services.

Once implemented, 88 percent of U.S. commercial and industrial exports to Panama will become duty free. The remaining tariffs would be phased out over a 10-year period. We need to act now in order to preserve current exports to Panama and pave the way for more. Panama has recently signed free-trade agreements with Canada and the European Union.

Nearly 5 years have passed since the U.S.-Colombia Free Trade Agreement was signed by the United States and Colombia on November 22, 2006. Last year, U.S. exports to Colombia totaled \$12 billion, with many of those subject to the high tariffs. Our exporters have paid nearly \$4 billion in duties to Colombia since that agreement was signed 5 years ago.

The Colombian Congress approved the free-trade agreement less than 1 year after it was signed. After 5 years, the Congress is only now finally considering this agreement. That is not the way to treat a friend.

With passage of the Colombia Free Trade Agreement, 80 percent of U.S. exports of consumer and industrial products to Colombia will be duty free immediately, with remaining tariffs phased out over 10 years. The U.S. International Trade Commission has estimated that this agreement will increase the U.S. gross domestic product by \$2.5 billion.

On another front regarding Colombia, they once had one of the worst drug cartel problems in our hemisphere. With their determination and integrity and with our help, Colombia's Government and law enforcement systems have substantially cleaned out the Medellin and Cali drug cartels. To acknowledge their sacrifice this should have been the easiest of the free-trade agreements to quickly have confirmed.

We have waited 5 years, as Colombia has done so much for itself to clean up the cancer in their system. We should have done this 5 years ago. So I hope there is no hesitancy now and there is overwhelming support in this Senate for this free-trade agreement.

In conclusion, with so many American businesses and workers struggling during this prolonged economic slump, it should be the easiest thing we do to enact these three free-trade agreements. Exports support millions of jobs in this country. These agreements will promote American sales in markets where we have been at a disadvantage for too long.

It was disheartening that this administration let these agreements languish

for many months without taking action. We now have the chance to approve those before us today—these three—which are good for our bilateral relations with these three countries, for working Americans, for farmers and ranchers throughout our system, and for our struggling economy.

I am very pleased these votes are being scheduled for today. We know the South Korean President is going to address a joint session of Congress tomorrow and to have these done and, hopefully, signed by the President when the South Korean President comes is the welcome gift he has been looking for, for a long time.

I so look forward to having these three free-trade agreements with these countries that have shown they want to do business with America, they want to have free and fair access into their country for our great products and our great workers, and we should let them have it without further delay.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 12 minutes.

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

TRIBUTE TO ALEX GLASS

Mrs. MURRAY. Mr. President, as every one of our colleagues knows, so much of what we do depends on the hard work and commitment of the dedicated staffers who toil behind the scenes on behalf of us and the constituents we represent. I wish to take a few minutes to recognize a member of my own staff who has been with me for many years, through good times and bad, and whose work ethic, competence, intelligence, and passion for public service is truly deserving of admiration and recognition as she now moves on to a new job, after more than 10 years of service in my office.

Alex Glass came to work for me on April 2, 2001. We hired her on as the deputy press secretary. She had graduated from Bryn Mawr the year before and had gone to work for the Gore for President campaign before joining my staff. Alex was similar to many young people who make their way to our Nation's Capitol after college. She was passionate about public service, wanted to make a difference, and cared deeply about her country and the serious issues we faced.

From the start, I knew Alex was a strong addition to my team. But just a few months later, it became clear to me she was much more. It was a Tuesday morning. We were right here in the Nation's Capitol. My communications director happened to be traveling that week. So even though Alex had just joined my staff, she was my only press staffer here that day.

As we all remember, a little bit after 9 a.m., we got word in the Capitol that planes had struck the World Trade Center. Shortly after that, I looked out the window of the Capitol and saw black

clouds of smoke filling the sky above the Pentagon. It was September 11, 2001, a day of unspeakable tragedy and devastating loss for our Nation. For those of us here in Washington, DC, and those in New York, and for families across America, it was a day of great confusion, uncertainty, and fear.

On that day, Alex stepped up for me, she stepped up for our office, and she stepped up for our constituents. Alex felt the same way every one of us did that day. But right away, she realized families in my home State of Washington were going to want to hear from their elected official in this time of national crisis. She was calm, she was collected, and she was already thinking ahead to what we were going to need to do that day.

So before we even evacuated, she quickly scribbled down the phone numbers of the major press outlets in Washington State, and then throughout that dark day and into the night, Alex and I stayed together and, through our State's press, I was able to reach out to families who were desperate for news and who needed to know that, despite this tragedy, their government remained strong. That day, I knew what Alex was made of, and I saw that spirit and dedication again and again over the next 10 years because Alex always knew what this job was all about—it was about helping people and solving problems.

I remember so many times I was in the room with my staff, where we were discussing one issue or another. Every once in a while, we would hear a soft voice from the chair to my left—Alex only talks when she has something to say—and in the clearest and most concise way, she would help bring our discussion from the theoretical to the practical: How does this affect families in our State? How will these policies help the people I was sent to represent? These were the questions that were always on Alex's mind because she knew those were the most important questions to me.

So many times over the years I would wake and check my e-mail and see an article Alex had forwarded to me—stories about veterans who weren't getting the care they deserved, workers who couldn't find a job or families falling through the cracks. She didn't include a comment with those stories. She knew she didn't have to. She just passed them along because she knew I would want to see them. She understood it was those people, the ones in those stories, whom I came to DC to fight for. Alex isn't from Washington State, but she dove into her adopted State with gusto, and within a few months she knew more about the issues facing our local communities than most people from Washington.

I remember one time—and I never thought I would tell this story out loud—Alex and I were in Port Angeles, and someone thought it would be a good idea for us to travel in a helicopter to our next event. It may have

been a good idea, but Alex and I—5 feet tall, both of us—had to put on these huge bright orange flight suits that were made for someone much bigger than either of us. I just remember catching her eye and we started laughing at each other and at ourselves. She and I had so many moments such as that together because Alex is very serious about her work, but she doesn't take herself seriously. She is much fun to be around, and she has a fantastic sense of humor, which is good for me because I don't think there is anyone I have spent more time with in my car traveling around Washington State than Alex.

On a particularly stressful or long day on the road, Alex always made sure we had cookies in the car, which I very much appreciated. Once, during a busier day than usual, I remember Alex and I having a conversation about all the fun places we had to pass by in the car as we drove to the next events but never had time to stop and visit.

We resolved to find the time to visit some of those when things got a bit slower, and I haven't forgotten about that. One day Alex and I are going to visit that alpaca farm up in Skagit Valley.

Alex also knew there was nothing I liked more than doing events where I could wear my jeans and tennis shoes, and I know she fought hard to make sure that happened as often as possible; and, Alex, I appreciate that.

Alex always had my back. She was always ready to get done what needed to get done. Back in 2004, I was facing a tough reelection campaign in my State. Alex had a life here in DC, but I went to her and I asked her to move back to the State to help me. I wanted her there, not because she is just good at her job and knows my voice so well—though she certainly is and does—but because she shares values, and I had every confidence that she would know exactly how I would want to tell my story and get my message out to the people in Washington. And Alex, without blinking, said yes. She packed up her bags and boxed up her apartment, she put her pet bunny in the car—I think this may be one of the most well-traveled rabbits in all of America—and she drove all the way across the country to fight by my side in Washington State. I don't know if I could have done it without her.

Alex then, after that election, came back here to DC and spent 6 years as my communication director. Then she did it all over again—uprooting her life, packing up that bunny, and driving all across the State when I needed her out in Washington State again last year. After she finished that job, I asked Alex to come back here to Washington, DC, to serve as my senior adviser and provide me with counsel and advice as I took on new challenges, and I was grateful when she accepted and got to work.

But 10½ years after Alex Glass first started working for me, the moment

came that I knew was always going to come but never looked forward to. Alex knocked on the door of my office and walked in, and before she could say a word I knew exactly what she had come to tell me. I gave her a hug. We talked. There may have been a few tears shed. But I always knew that Alex has the skills, the talent, and the experience to do absolutely anything she wants to do, and I am proud that she has chosen to continue working in public service and has accepted a job at USAID.

Although she is moving on, her amazing work and strong influence in my office will continue. Her words and her ideas have helped shape so much of what I have done and how I have communicated with my constituents. I can't tell you how many Washington State reporters have come over to me to thank me. They told me how helpful Alex was, how responsive and how good she was at connecting the policy debates here in Congress to the struggles of families and communities in our State.

Alex didn't just keep this to herself. She helped build and mentor a strong team in my office that knows what we are trying to do and understands my voice and how I want to communicate with the people I represent.

I have had many members of my staff come and go in my time here in the Senate. Many of them have been outstanding. Every one of them has added value and done good work for me and my constituents. But there are very few I have come as close to as I have to Alex.

Over the last 10 years, Alex, you have been like a member of my family, truly like a daughter to me. You have gone to the mat time and time again for me. You have been through thick and thin with us. You have sacrificed so much for me and my office, and I can't express enough how deeply I appreciate it. I know there is nothing you wouldn't do for me, and I hope you know I feel the same way about you. So on behalf of everyone in my office, all the constituents I represent, I want to thank you for the years of service to Washington State and to the Nation. You have been my voice, my adviser, my confidante and, most importantly, my friend. It has meant so much to me. And although I know it will continue, you aren't going away very far, I am going to miss seeing you in the office and hearing your voice almost every day.

So, Alex, as you start this exciting new chapter in your professional life, remember what Rob and I would say to you when times got tough out in the State: Shoulders up. Shoulders up. You have helped me keep mine up for more than 10 years, and I wish you luck now as you tackle your next challenge with the same heart, gusto, and good humor that you brought to our office every day.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:49 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

UNITED STATES-KOREA FREE
TRADE AGREEMENT IMPLEMEN-
TATION ACT—Continued

UNITED STATES-PANAMA TRADE
PROMOTION AGREEMENT IMPLE-
MENTATION ACT—Continued

UNITED STATES-COLOMBIA TRADE
PROMOTION AGREEMENT IMPLE-
MENTATION ACT—Continued

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent I be allowed to speak as in morning business for up to 10 minutes.

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

(The remarks of Mr. BINGAMAN pertaining to the introduction of S. 1692 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am happy to rise today to speak about the three trade agreements that are working their way over to the Senate. At a time when unemployment is over 9 percent and we have over 14 million Americans out of work, it is past time for us to take up these three important agreements. These agreements with Korea, Colombia, and Panama are going to create jobs and put Americans back to work. That is why it is so important we move, and move on a bipartisan basis, to get them done.

With 95 percent of consumers living outside of our borders, we need to proactively help American workers, farmers, and service providers sell their products all around the world. The President himself has said that repeatedly. Just last month he came to Ohio and said he wants to be sure more products are stamped with the three proud words "Made in America." I couldn't agree more.

One way to do that is to get these trade agreements done. Finally, we have the opportunity to vote on them. This will help us to gain market access for U.S. workers to about 100 million consumers.

Unfortunately, while these agreements have been sitting on the shelf for over 4 years, our workers, our farmers, and our service providers have lost market share. They have fallen behind because other countries have completed agreements, and their workers and their farmers, their service providers have gained market share that

we should have had. According to the National Association of Manufacturers, by waiting for 4 years to take up these agreements, American workers have lost over \$12 billion in wages.

So I am glad the agreements are here. They should have been here sooner. Again, this, to me, should be a lesson that we learn as a Congress, a Senate. We need to have more agreements, and we need to have them negotiated constantly on behalf of our businesses and our workers.

While we have waited for the President to submit these agreements to Congress for a vote, other countries have moved forward and have gained footholds in other markets. The European Union and Korea, along with Canada and Colombia, have negotiated, completed, and put into force their own trade agreements they started to negotiate after we were done with ours. In other words, we finished our negotiations, they then began negotiations, they ratified their agreements, and they are now in effect taking market share away from us.

We have seen the U.S. market share be reduced in Colombia and in Korea because of these agreements. A good example would be our exports of agricultural products to Colombia. We have seen them drop from 70 percent of the market for corn, wheat, and soybeans to less than 30 percent of the market just since we completed the agreement with Colombia. Because, again, the President did not send these agreements forward for ratification, we have been on the sidelines while farmers in my State and around the country have lost out.

We are falling behind in Korea too. When we started discussing an agreement with Korea, the United States was Korea's biggest trading partner. Since then we have slid down the ladder, with China, Japan, and the Europe Union jumping ahead of us. According to the U.S. Trade Representative's Office, in just over a decade, our share of Korea's goods imports has fallen from 21 percent of their market to 9 percent of their market, while China's share of the Korean market has increased from 7 percent to 17 percent. We are now at 9 percent; China is now at 17 percent. This has happened, again, since we began negotiations or discussions about negotiations with Korea. By standing still we are still allowing China and our competitors to get a leg up in this crucial Asian market.

According to the President's own metrics, these three agreements together will create over 250,000 new jobs. Conversely, according to the U.S. Chamber of Commerce, if we fail to move forward on these agreements, we would lose 380,000 jobs—again, because we would lose market share that we already have to these other countries that are negotiating agreements while we sit on the sidelines.

The nonpartisan U.S. International Trade Commission says these three agreements will increase U.S. trade exports by nearly \$13 billion each year.

When I was the U.S. Trade Representative, I had the privilege of launching the Korea agreement, actually in a room right next to the Chamber. This agreement is called KORUS. I did so with Korean Trade Minister Kim in February of 2006. At that time, many people said this agreement would be very difficult to negotiate. Some criticized us for launching it thinking this economy was too big, to complicated, that we would not be able to get a meaningful agreement. We took the chance because we saw the incredible potential for trade liberalization, and it would drive greater economic growth in the United States and U.S. job creation—and also because of the importance of the alliance with the Republic of Korea.

It turns out the skeptics were wrong, and we now have before us this week, in the Senate, to vote on the largest free-trade agreement, largest export agreement this Congress has looked at in almost two decades.

Korea is a vital market for U.S. exports already. It is America's seventh largest trading partner, and their economy is now growing by more than 6 percent per year.

KORUS eliminates tariffs on over 95 percent of U.S. exports of industrial and consumer goods to Korea within the first 5 years of the agreement. The agreement's intellectual property rights provisions contain stringent protections for American intellectual property—extremely important to some of our service companies and other exporters. This gives American companies additional access to Korea's \$850 billion services market.

America has a large services trade surplus, actually, in services right now, both globally and with Korea, and this agreement will allow American service companies that are the best in the world to expand and sell more products to a country of more than 48 million people.

KORUS is supported by the United Auto Workers, the U.S. Chamber of Commerce, and many other business and export-related groups. Let me read an excerpt, if I could, from the United Auto Workers' statement earlier this year about the Korean agreement. The UAW said the Korea agreement and related auto provisions “will protect current American auto jobs . . . will grow American auto industry jobs . . . includes labor and environmental commitments, and . . . has important enforcement mechanisms.”

The KORUS agreement opens an important market for American farmers and ranchers as well. According to the International Trade Commission, KORUS will expand American agricultural exports by \$1.9 billion to \$3.8 billion per year. In my own State of Ohio, KORUS, along with Panama and Colombia, will increase Ohio's agricultural exports by nearly \$55 million annually—just to Ohio.

KORUS will eventually phase out the 40-percent Korean tariff on U.S. beef

and will immediately eliminate the 5-percent Korean tariff on soybeans, resulting in a \$3 million annual increase in Ohio soybean exports. Soybeans are the biggest export crop in Ohio. In fact, 1 of every 2 acres of soybeans in Ohio is planted now for export.

KORUS also opens the door for American manufacturing jobs. In Ohio over 25 percent of manufacturing jobs now depend on exports. Over \$31 billion of U.S. manufacturing goods were exported to Korea last year. In fact, Korea was our fastest growing export destination in the world, with a 37-percent increase over 2009. When American-manufactured goods are exported to Korea, they face an average tariff now of about 9 percent. With passage of this agreement this 9-percent tariff will fall to zero and in most cases immediately. However, due to this agreement we talked about earlier between the European Union and Korea going into force about 100 days ago, on July 1, EU exports to Korea are now on the rise because 90 percent of their goods can now enter Korea duty free. Again, it is important we move forward, and move forward quickly, to avoid losing more American share which is difficult for us to regain.

The Cleveland Plain Dealer wrote an editorial recently entitled, “Korea Free Trade Deal Will Help U.S. and Ohio.”

The piece talked about the benefits of the Korean agreement, particularly for manufacturers and autoworkers. The editorial concluded by saying:

Trade can help drive recovery. This deal with a longtime ally will help.

They are right.

Another important agreement is the U.S.-Colombia trade promotion agreement. Colombia is a growing economy in Central and South America, to which the United States exported over \$121 million in goods last year. This agreement with Colombia is a clear victory for U.S. workers. Due to preference programs that are already in place, nearly 90 percent of the exports from Colombia to the United States have entered our market tariff free. So we largely have a one-way free-trade agreement with Colombia already. Due to these preference programs, this agreement will be a huge benefit to U.S. workers and U.S. businesses, because U.S. exports to Colombia have faced an average tariff of about 14 percent. So, historically, 90 percent of their goods come in duty free while ours face much higher tariffs when they enter Colombia. This isn't fair trade, and this agreement will fix that. It will assure that the one-way trade that advantages Colombian exports instead of American exports is balanced.

The agreement will lower the 14-percent average Colombian tariff to zero, allowing over 80 percent of U.S. consumer and industrial products exported to Colombia to become duty free immediately. The agreement also immediately eliminates duties on about 70 percent of U.S. farm exports, including

soybeans, wheat, barley, flour, and beef.

The Colombia agreement also establishes new transparency rules on nontariff barriers to trade; in other words, not a higher tariff, but other barriers in the country, so-called nontariff barriers, that keep our products out.

Further, it establishes new commitments on the environment and labor, an area on which Colombia is improving and proactively addressing.

The agreement also protects U.S. intellectual property with enhanced protection for copyrighted entertainment products, software, and U.S. trademarks.

Finally, we have an important agreement with Colombia's Latin American neighbor, Panama, another key ally to the United States. Panama is one of the fastest growing economies in Latin America. Last year, \$46 million worth of Ohio goods were exported to Colombia. Panama is a vital strategic partner for the United States, since nearly two-thirds of the Panama Canal's annual transits are either from or to U.S. ports.

Moreover, the ongoing \$5 billion Panama Canal expansion project presents unique opportunities for American exporters such as Rockwell Automation, which employs nearly 3,000 Ohioans. At Rockwell's Twinsburg facility in northeast Ohio, they produce controllers and automation systems that open and close the doors of the Panama Canal's locks and divert the water. They are bidding on more work in Panama. However, they say they are currently working with one hand tied behind their back because their competitors have an advantage in Panama, because we don't have a trade agreement. So this Panama export agreement will help companies such as Rockwell by cutting tariffs, protecting their intellectual property, and giving them more investment certainty.

Upon entry into force, Panama will immediately eliminate its tariffs on over 87 percent of U.S. exports of consumer and industrial goods and on more than half of U.S. agricultural exports. Eighty-five percent of U.S. exporters to Panama are small and medium-sized companies. That is over 7,000 American small and medium-sized companies that export to Panama and will thus benefit from this agreement.

Let me speak about a couple of Ohio products that are exported to these markets. The Step2 Company, headquartered in Streetsboro, OH, is the largest American manufacturer of preschool and toddler toys. They employ over 800 Ohioans. They like to export to Korea and Panama, and they want to take advantage of these agreements. Lincoln Electric's 3,000 employees in Euclid and Mentor export welding products and equipment to Korea, Colombia, and Panama from northeast Ohio. These agreements don't just help Lincoln Electric export more, they also will help Lincoln's customers export more.

Another Ohio company is PRO TEC Coating, a U.S. Steel joint venture company located near Findlay. PRO TEC Coating employs about 250 Ohioans and creates steel that meets the most demanding specifications of U.S. automakers. The Korean agreement will open a big potential market for U.S. auto exports, which will help companies throughout the automotive supply chain to be able to get more business, and PRO TEC Coating is one.

Gorilla Glue, one of my favorite named companies in Cincinnati, OH, my hometown, has over 100 employees and they export their premium line of adhesives and tapes to Panama, Colombia, and Korea. They want this agreement because they will be able to expand their exports and create more jobs in Cincinnati.

While these agreements bring large economic benefits, those responsible for our national security also recognize the geopolitical benefits of building economic ties with key regional allies. In testimony earlier this year before the Senate Armed Services Committee, GEN Douglas Fraser, who is Commander of U.S. Southern Command, described the Colombian agreement as "a very positive, beneficial aspect for our cooperation because of a growing capacity to support the capabilities of the armed forces and law enforcement."

Defense Secretary Leon Panetta and Secretary of State Hillary Clinton strongly support these agreements, noting the importance of an effort that leverages all elements of national power to protect our interests overseas. Secretary Panetta confirmed the role these increased economic ties have on promoting regional security, with Colombia as a prime example of a key ally in a continent with ever changing political dynamics. When it comes to international economics and security, there is no question of the critical role Panama plays. With 20 percent of our trade to Asia passing through Panama, building on this historically strong relationship will signal our commitment to engaging with Central America.

When President Obama submitted these agreements to Congress last week, he said, "The agreements I am submitting to Congress today will make it easier for American companies to sell their products in South Korea, Colombia, and Panama and provide a major boost to our exports. These agreements will support tens of thousands of jobs across our country. . . ."

While these agreements are late, the President is right. These are important job-creating and export-opening agreements. They have strong support from Members of both parties and, more importantly, they are supported by American workers and businesses.

Again, the lesson we should learn here is that we need to give the President the authority he has yet to ask for to negotiate further agreements. Because in these last 4 years while these agreements have been pending,

while the President has not sent them during his administration—and prior to that when President Bush was blocked by the House from moving them forward—we have not been negotiating additional agreements. I am told there are over 100 bilateral trade agreements being negotiated right now. The United States is not a party to any of them. That is not acceptable because we are losing out. Our workers, our service providers, and our farmers are losing out and we will not have the sustained recovery we all hope for unless we engage more in these international markets.

I wish to commend so many in this body who have been patient, persistent, and even passionate in promoting these agreements over the years. When I was U.S. Trade Representative, I worked closely with then Chairman GRASSLEY, with Chairman BAUCUS, with Senator HATCH, and others on the Finance Committee to promote these agreements. Those Senators are to be commended today. We will hear a lot from Senator BAUCUS and Senator HATCH, I am sure, about the importance of these agreements, but I want to underscore the key role they played even early on in ensuring that these agreements could be here before us today.

I commend the staff of the Finance Committee, who have worked tirelessly over the years to ensure that we could be here with this opportunity today. Other Senators played a key role—Senator BLUNT, Senator KERRY, and others whom I should be naming but I am not—to make sure we have this opportunity to move our country forward by enacting these agreements.

Finally, I wish to thank the dedicated staff at the Office of the U.S. Trade Representative who make these agreements possible. Again, I had the privilege to lead this nimble and effective agency, comprised of remarkable public servants who relish the agency's mission, which is to knock down barriers to U.S. products so we get a fair shake. They balanced this challenge with aggressively enforcing our international trade laws, which is also part of the mix. We need to both expand exports in open markets and ensure that trade is fair, and that we are enforcing both the international standards and U.S. laws with regard to trade. They do it very well. Without our negotiators' commitments to resolving some of these very complex and sometimes controversial economic issues, we would also not be here today. So I commend them. For all of those professionals with whom I have had the honor to serve and for those who are there now serving under Ambassador Ron Kirk, who has also been a strong promoter of these agreements, I thank you for your efforts.

Finally, I urge my colleagues who are on the fence—and some of them have talked to me—to take a strong look at the economic and geopolitical benefits of these agreements. We don't do much around here that is bipartisan these

days. Yet we have a country that is crying out for it. This is an example of where we can come together as Republicans and Democrats, realizing that for 14 million Americans out of work, we need to move our economy forward. This is a clear example of where we can indeed take steps that are bipartisan, where we have a consensus to be able to create jobs and opportunity in the United States of America.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise this afternoon to speak for a couple of moments about the three pending trade agreements that the Senate is considering, those with South Korea, Panama, and Colombia. I wish to start by highlighting what I believe the American people are most concerned about right now—certainly the people I represent in the Commonwealth of Pennsylvania. Wherever I go, other than sending us a message that they want us to work together to solve problems they confront in their lives, the No. 1 issue, the No. 1 priority in terms of the work we can and should be doing, and thankfully are starting to move forward on, is a series of steps to improve the job market and to reduce the unemployment rate.

As we have so often said, we have more than 14 million Americans out of work. In Pennsylvania, we were on the way last year of lowering the rate of that number substantially. We went from approaching 600,000 people out of work to going below 500,000. Now, unfortunately, the number has shot back up to above 500,000 people out of work. So the No. 1 issue, bar none, is jobs, and that is why this debate about trade and these agreements is so important.

Jobs are the key consideration for Americans. They should be the key consideration for us, and they are, in short, the biggest challenge we have. So we need to ask a series of questions, and I have at least three major questions about these trade agreements, but all center on that issue of jobs.

We have had a series of debates in the last couple of weeks which I think have been pretty instructive on both jobs and on efforts to achieve bipartisanship. We had a significant period of time we spent on trade adjustment assistance legislation. I was one of the leaders of that, and, thankfully, we were able to pass trade adjustment assistance to help workers who are displaced by unfair trade and, in many cases, have tremendous challenges getting from here to there—getting from a position of joblessness because of unfair trade to training and education and preparation for a new job or a new career.

We also just completed a debate about China's currency policy. We know our recent history proves that when China cheats on its currency, which it has over a long period of time, we lose American jobs. So the Senate

spoke in a loud voice, in a bipartisan way, to indicate that we are overdue. It is long past time to get tough with China. If they are going to cheat, there will be consequences when they cheat on their currency. So we have had some interesting debates, and we have focused on jobs and we have focused on working together.

Finally, let me make a point before I get to the three basic questions I have. The Joint Economic Committee, which I chair, released a report today, and the report is entitled "Nowhere to Go: Geographic and Occupational Immobility and Free Trade." It is dated today, October 12. I commend to my colleagues this report by the Joint Economic Committee. I won't go through the whole report, but here is the conclusion of the report itself:

Given the already high national unemployment rate and depressed home values still evident in most states, policies that seek to liberalize trade may impose even larger costs on—

older workers and workers who don't have a college education, therefore—bolstering the need for additional investments in training or other forms of trade-adjustment assistance.

So when people lose their jobs as a result of unfair trade and because of the ravages of what happens in the international marketplace, what happens to an individual, to a company, and to a community, if they are older workers and if they don't have an education level that is commensurate with allowing them to adjust and to be able to respond to those dramatic changes, they will be much worse off. I think that is why these trade agreements are so important to debate.

We have limited time for debate and we have limited time for full consideration, but I think we are going to have a number of hours to put some questions on the table. The first question I have is will these trade agreements protect and create jobs in Pennsylvania, the State I represent, and across the country?

We know manufacturing is the core or probably the most important part of our job creation analysis. If we are making things, producing goods, engaged in advanced manufacturing, in new manufacturing—that we are seeing all over the country—if we are doing that at high levels and with big job numbers, we are moving in the right direction. But, unfortunately, economic policies and trade policies have inhibited and badly damaged our ability to create manufacturing jobs.

I know in Pennsylvania manufacturing is especially critical to what is still the largest source of jobs in the Commonwealth of Pennsylvania—that sector of our economy. The benefits to manufacturing jobs, of course, extend beyond individual companies, individual businesses. The economic benefits of a strong manufacturing sector are experienced throughout the economy. They have a ripple effect, multipliers beyond just that company.

In Pennsylvania, according to research commissioned by the Pennsylvania Industrial Resources Centers, for every \$1 increase in demand for products manufactured in this country, that leads to a gain in gross value to the economy overall of \$2.52. So \$1 in by way of manufacturing and \$2.52 in return.

Furthermore, manufacturing jobs create and support middle-income families. We know the wage level is higher and, therefore, those families can benefit tremendously. In 2008, the average annual compensation of a worker in the manufacturing sector was over \$65,000. The average pay for the rest of the workforce was \$10,000 less. Each good-paying job in the country allows for more money to flow back into the economy. We know that.

Given the importance of protecting these critical manufacturing jobs, we must ask ourselves: Will the trade agreements with South Korea, Colombia, and Panama create jobs, especially in the manufacturing sector? Unfortunately, the answer to that question is no. All we need to do is look at the history. This is not theory. All we need to do is look at recent history.

Trade-related job expansion has been, unfortunately, an unfulfilled promise to the people of Pennsylvania and across the country. In 1993, the United States entered into the so-called NAFTA agreement, North American Free Trade Agreement, which promised to deliver hundreds of thousands of jobs across the United States. Those gains were not realized, especially in a State such as Pennsylvania. From 1993 to 2002, 525,094 workers were certified as displaced under NAFTA, according to the Department of Labor.

Overly optimistic job creation estimates were not the only flawed projection. At that time, leaders suggested that NAFTA would expand demand for American exports. That never came to be. In 1993, the United States had a small trade surplus with Mexico. Let me say that word again: We had a "surplus" in our trade with Mexico. By 2010, just 17 years later, according to Census Bureau statistics, we had amassed a trade deficit of \$66.4 billion with Mexico. Our trade relationship with Canada tells the same story—a widening trade deficit from \$10 billion in 1993 to \$28.5 billion in 2010.

So we know and everyone knows this, that a trade deficit does lead to job losses. In Pennsylvania, we have seen a dramatic decline in manufacturing employment since NAFTA was implemented, losing a total of 308,100 manufacturing jobs. That is one State in that time period; so more than 300,000 jobs lost just in Pennsylvania.

With this experience, we need to take a close look at the government's projections for the pending agreements that are before us right now. While the International Trade Commission predicts our bilateral trade with Korea will improve—that is the assertion—the total U.S. trade deficit is predicted

to get larger which, if past experience is any gauge, will mean job losses, not job gains.

According to the International Trade Commission, the agreement with Colombia means—and I am quoting—

There is likely to be minimal to no effect on output or employment for most sectors in the U.S. economy.

That is according to the International Trade Commission.

About the Panama agreement, the same commission concluded that the impact of the Free Trade Agreement “would likely be small because of the small size of the Panamanian market relative to total U.S. trade and production.”

Simply put, even the always optimistic International Trade Commission does not see these agreements as job-creating measures. That is question No. 1, a direct question on jobs.

Question No. 2: Will this agreement create a level playing field? I would assert the answer is no to that question.

Panama, while a very small economy, has one advantage to lure foreign investment. It remains a tax haven for companies that incorporate within its borders. As recently as 2009, Panama was listed on all major tax haven lists maintained by the Organization for Economic Cooperation and Development, the so-called OECD; Global Forum on Taxation; the National Bureau for Economic Research; and the Internal Revenue Service. While the tax information exchange agreement signed since then may address these issues, this same organization, the Organization for Economic Cooperation and Development, has yet to evaluate whether Panamanian law will allow for effective enforcement pursuant to these agreements. Given the lack of definitive progress, I am concerned that the Panama trade deal remains silent on this very basic issue.

Let me move to the question of what happens as it relates to Colombia on this basic question about a level playing field.

Additionally, as it relates to Colombia, despite efforts to move that country toward a regime that tolerates workers’ rights, Colombia remains one of the most dangerous places in the world for union workers to be working. While it has been greeted with great fanfare, nothing in the so-called labor action plan negotiated between the United States and the Colombian Government—nothing—has required Colombia to establish a measurable system for enforcement of these labor rights prior to ratification or implementation of the agreement. In fact, Colombian companies can skirt many of the provisions in the so-called action plan—for example, by forcing new hires to sign a pledge offering higher salaries based upon a number of conditions, including not joining a union.

Given the weakness of this plan, it is not surprising that violence against union workers remains commonplace in Colombia. Twenty-two union mem-

bers and organizers have been killed in Colombia this year. Six Catholic priests known for working for the rights of the poor have also been targeted for assassination this year, leading the Catholic Bishops Conference of Colombia to call for protection of its clergy. Imagine that: union workers and priests needing protection in a country such as Colombia.

Additionally, a June 8 study by the International Trade Union Confederation condemned the ongoing problems for labor organizers in Colombia.

One simple comparison speaks volumes. In total, 49 union members were murdered in Colombia in the year 2010–49 people. All other countries combined had 41 killings of this kind. I do not think that needs any more emphasis.

I am going to move now to a couple of comments as they relate to this level playing field question as it relates to South Korea.

We had a long debate and a good debate and a good consensus on a bipartisan basis as it relates to China’s currency policy. I believe we took a positive step forward in passing through the Senate a bipartisan bill to get tough with China when they cheat on their currency.

All the while, we did not say much about another country that has had currency problems, and that is South Korea. We know they have their own record on currency, and I am troubled by South Korea’s currency manipulation over time. They devalued their currency at least in very specific time periods that we are aware of at least twice—once in 1998 and once in 1988. In fact, the most recent Treasury “Report to Congress on International Economic and Exchange Rate Policies”—a long name for a currency report—this report is dated May 27, 2011. It noted that South Korea intervened “heavily” in its currency market during the financial crisis and has continued uninterrupted since. So it has a history, but we also have current information, current evidence, recent evidence that South Korea has been intervening heavily in its currency market. Treasury urged—urged—South Korea to “adopt a greater degree of exchange rate flexibility and less intervention.” I think we could get a little tougher than that, be a little more direct and maybe have some consequences, but that is the extent that Treasury is willing to go.

So as we debate a trade agreement with a major country such as South Korea, we ought to know something about their currency policies, especially in the aftermath of bipartisan currency legislation as it relates to China.

I am pleased the Senate has passed this currency legislation this past week, and we are all hoping the House of Representatives will move quickly to consideration and passage of the currency legislation. But we should not be entering into a trade agreement

with South Korea at a time when we know their currency policies are at best suspect and I think worse than that.

Finally, let me lead to the last question of the three. The third question I have is: Does the agreement provide new opportunities for manufacturers in Pennsylvania as well as other States to export their goods?

The benefits of the agreements with South Korea, Colombia, and Panama have been, in my judgment, overstated, while the risks have been largely ignored. Rather than opening a new market for Pennsylvania farmers or Pennsylvania manufacturers, I fear the benefits to the United States are likely to be minimal at best.

There are specific reasons the South Korea deal fails to deliver for Pennsylvania exporters as well. First, the most recent benefits are based upon an overly optimistic projection for agriculture. These projections, compiled by supporters of the agreement, assume that a cut in tariffs will immediately equal a growth in market share. We know from past experience that Asian markets, including South Korea, have come up with a host of unjustified non-tariff restrictions to keep U.S. goods, particularly beef, out of their country. These barriers to free trade are likely to limit export potential and are largely unaddressed in the agreement.

There are other troubling clauses, as well, dealing with, in this case, the beef industry. The South Korea agreement will allow American beef packagers to use Canadian or Mexican cattle and then export the packaged Mexican and/or Canadian beef as “American” beef. This policy, while great for beef packagers, undercuts U.S. ranchers.

Another problem with the Korea deal is which goods will qualify for the “Made in South Korea” designation or sticker. Which will qualify for that? And therefore, if they have that, they are allowed to enter the U.S. duty free. Under the rules of origin in annex 6-A of the agreement, 65 percent of the value of many goods, including automobiles, shipped duty free to the United States can come from outside—just imagine this—outside of South Korea and still be considered “Made in South Korea.” That defies description. It is internally inconsistent at best, and it is contradictory for sure. This standard is lower than the European Union agreement, where only 55 percent of content can be foreign and once again places our companies at a comparative disadvantage to international competition. Furthermore, this policy opens the door for products primarily made from Chinese parts to enter the United States duty free. That makes no sense at all.

Earlier I posed these questions. The first I posed was: Will these agreements create a substantial number of new jobs? They will not. If previous agreements are any indication at all, the South Korea, Colombia, and Panama agreements will not create jobs in the

way they are projected to and will, in fact, lead to job losses, especially in manufacturing.

The second question: Will the agreements help create a level playing field? They will not. The agreements fail to address critical issues such as violence against union members, as well as currency manipulation by, for example, South Korea.

The third question: Does the agreement provide new opportunities for American manufacturers to export? Proponents have overstated the benefits. Certain industries and firms are likely to benefit for sure, while others will not.

While it is clear that in its failure to address nontariff barriers to trade, the agreement leaves American firms unprotected on an unlevel playing field.

Finally, based upon this set of questions and, more importantly, the answer to those questions, I will vote against the agreements with South Korea, Panama, and Colombia.

It is my job as a Senator from Pennsylvania to fight for Pennsylvania jobs, and for too long the needs and the concerns of the jobs of Pennsylvania's workers have been last on the list when it comes to trade agreements. The fact is that past trade agreements have failed Pennsylvania and our workers, and I refuse to support new foreign trade agreements without reasonable debate and adequate answers for the questions that I pose and especially as it relates to jobs and the impact on workers.

Instead of moving ahead quickly with what is a broken model, we need to focus on the biggest picture: formulating a strategy that helps American manufacturers, that leads to job creation, and that creates a stronger middle class. We need a trade policy in the United States of America. We do not have one right now. We need one that is bipartisan in nature.

To make real, sustained progress, Washington needs to have a strategy. We must develop and commit ourselves to a national manufacturing strategy as part of a trade policy that includes job-creating trade agreements, not job-killing trade agreements. Manufacturing is the heart and soul of our Commonwealth and our country. Our future's success depends upon developing policies that allow our people to create jobs and compete in the global production of goods. I know our workers are up to it. If we give them the tools and the agreements and the policies to do just that, they will outcompete anybody in the world, any country in the world.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Vermont.

Mr. SANDERS. Let me begin by concurring with much of what the Senator from Pennsylvania has said. I think he is right-on. Like him, I rise today in strong opposition to the unfettered free-trade agreements with Korea, Colombia, and Panama. Let's be clear.

One of the major reasons why the middle class in America is disappearing and why poverty is increasing and why the gap between the very wealthy and everybody else is growing wider is directly related to our disastrous, unfettered free-trade policy. If the United States is to remain a major industrial power, producing real products and creating good-paying jobs, we cannot continue the failed, unfettered free-trade policies that have been in existence for the last 30 years.

We need to develop trade policies—I know this is a radical idea—that work for working people and not just the CEOs of large corporations. What we must do is rebuild our manufacturing sector and once again create millions of good-paying jobs where workers are producing real products made in the United States of America.

Over the last decade, more than 50,000 manufacturing plants in this country have shut down. Let me repeat that. In the last decade, more than 50,000 factories in this country have shut down. Over 5.5 million factory jobs have disappeared.

Back in 1970, 25 percent of all jobs in the United States were manufacturing jobs, often paying workers a living wage, decent benefits, pensions. Today, that figure is down to just 9 percent.

In July of 2000, there were 17.3 million manufacturing workers in this country. Today, there are only 11.7 million.

According to a recent study conducted by a well-respected economist at the Economic Policy Institute, permanent normal trade relations with China has led to the loss of 2.8 million jobs. In fact, the United States has lost an average of about 50,000 manufacturing jobs per month since China joined the World Trade Organization in 2001.

I was in the House of Representatives when PNTR with China was passed. I can remember all of the fine speeches from the President on down, Republicans, Democrats: Permanent normal trade relations with China is going to open up that great market, going to create millions of jobs in America. It was not true. Free trade with China ended up costing us 2.8 million jobs. You don't have to be an economist to understand that; all you have to do is walk into any department store in America and buy a product. Do you know where that product is made? It is not made in the United States of America, it is made in China.

We all now understand what that trade agreement was about. It was not to open markets in China for American products, it was to open China so corporations in this country could shut down here, throw American workers out on the street, and move there in order to pay workers pennies an hour. That is what those trade agreements are about. There is no doubt in my mind that—certainly to a much lesser degree because they are smaller trade agreements—trade agreements with

Korea, Panama, and Colombia will continue that same process.

The U.S. Department of Commerce has reported that over the last decade, U.S. multinational corporations slashed 2.9 million jobs. Now the biggest advocate of unfettered free trade, of NAFTA with Mexico, of PNTR with China, of these trade agreements, is corporate America. It is the chamber of commerce, it is the National Association of Manufacturing. They spend huge sums of money on lobbying and campaign contributions in order to make Congress vote for these great trade agreements.

Let me repeat. Over the last decade, these very same corporations that want us to pass these disastrous trade agreements slashed 2.9 million American jobs. Furthermore, what we have learned is that during that same period of time—and here is the kicker—these same corporations have created 2.4 million jobs. The only problem is that those jobs were created in China, Mexico, and other low-wage countries.

What we have here is that key advocates for continuing this disastrous trade policy are precisely the people who have been slashing jobs in America, closing down factories, and hiring people abroad. And I would suggest that Members of the Senate might want to think twice about listening to the advice of people who have been laying off millions of American workers.

Oddly enough, again we have one of the leading advocates for these disastrous trade agreements—it is the chamber of commerce. Well, some years ago, the chamber of commerce, to its credit, was pretty up front. They said outsourcing is a good idea. They recommended to American corporations: Shut down in America and move abroad. It is good for your stockholders.

Do you really want to take the advice of people who believe that outsourcing and throwing American workers out on the street is a good idea? I do not think so.

Today we are hearing all of this talk about how these trade agreements are going to create new jobs. We heard it before. It is the same old movie. The American people understand it is a bad movie. It is an unfactual movie.

During the Clinton administration, we were told by Republicans and Democrats and then-President Clinton that NAFTA would create 100,000 American jobs over a 2-year period. That is what we were told about NAFTA. Well, results are in on NAFTA. Instead of creating 100,000 American jobs, the Economic Policy Institute has found that NAFTA destroyed more than 682,000 American jobs, including the loss of 150,000 computer and electronic jobs.

I do not understand why, when you have a policy that has failed and failed, you want to continue that policy. Football teams that have coaches with losing records get rid of those coaches. When you have a trade policy that has

resulted in millions of American workers losing their jobs, you do not continue that same philosophy.

The issue here is not just Mexico and NAFTA, it is not just PNTR with China, it is obviously what is going to happen with the trade agreements that are before us today, Korea, Panama, and Colombia.

The Economic Policy Institute has estimated that the Korea Free Trade Agreement will lead to the loss of 159,000 American jobs and will increase the trade deficit by nearly \$14 billion over a 7-year period. Why would you want to go forward with those ideas? Why would you want to go forward with a trade agreement that will increase our trade deficit?

President Obama has estimated that the Korea Free Trade Agreement will support at least 70,000 American jobs. But the headline of a December 7, 2010, article in the New York Times says it all: "Few New Jobs Expected Soon From Free-Trade Agreement With South Korea." According to this article, the Korea Free Trade Agreement "is likely to result in little if any net job creation in the short run, according to the government's own analysis."

Let me touch on one particular aspect of the Korea Free Trade Agreement that I find especially troubling and that I think the American people, to the degree they understand this and learn about it, will also find troubling; that is, this particular free-trade agreement will force American workers to compete not just against the low-wage workers in China or Vietnam or Mexico, they are going to be forced to compete against the virtual slave labor that exists in North Korea, the most undemocratic country in the world and a country itself whose government will financially benefit from this, with the dictatorship of Kim Jong Il.

We all know that under current law the United States has an embargo on all North Korean goods—for a very good reason. Workers in North Korea are the most brutalized in the world, have virtually no democratic rights, and are at the mercy of the most vicious dictator in the world. But after the South Korea Free Trade Agreement is signed into law, the United States would have a new obligation to allow South Korean products to come into our country tariff-free that contain major parts made by North Korean workers who make pennies an hour.

According to a January 2011 report from the Congressional Research Service, "There is nothing to prevent South Korean firms from performing intermediate manufacturing operations in North Korea and then performing final manufacturing processes in South Korea." In other words, there is a huge industrial park in North Korea. South Korean companies own that park. Workers there are paid horrendously low wages, and some of those wages go right to the North Korean Government. Products made in that industrial park in North Korea will go to South Korea

and then will come back into the United States as part of that so-called free-trade agreement.

Today, over 47,000 North Korean workers currently are employed by more than 120 South Korean firms, including Hyundai, at the Kaesong Industrial Complex in North Korea.

This facility is located just 6 miles north of the demilitarized zone, with direct road and rail access to South Korea and just an hour's drive away from Seoul.

These North Korean workers officially make a minimum wage of 35 cents an hour, but they actually make less than that.

Instead of paying these workers directly, Hyundai and the other South Korean firms pay the North Korean Government. How is that? South Korean companies—major companies—pay the North Korean Government. They take a piece of the action, which is going to the most undemocratic, vicious dictatorship in the world. The products then go to South Korea, and they are part of the free-trade agreement with South Korea.

In 2007, Han Duck-soo, who was then the Prime Minister of South Korea and is the current South Korean Ambassador to the United States, said this:

The planned ratification of the South Korea-U.S. free trade agreement will pave the way for the export of products built in Kaesong [North Korea] to the U.S. market.

So what we have now is American workers being forced to compete against desperate people all over the world, who are making a tiny fraction of the wages that are paid in America, and forced to compete against countries where there are no environmental standards, where worker unions are not recognized or respected.

But now it gets even worse. American workers are now being forced to compete against the virtual slave labor in North Korea as part of this trade agreement.

What about the Colombia Free Trade Agreement? It is understandable why the CEOs of multinational corporations would like this free-trade agreement. After all, Colombia is one of the most anti-union countries on the planet.

Since 1986, over 2,800 trade unionists have been assassinated in Colombia—more than the rest of the world combined. Think about it for a moment. If we found out that 50 CEOs had been assassinated in Colombia last year instead of trade leaders, do you think we would be on the verge of approving a free-trade agreement with that country? Frankly, I don't think so.

Lastly, let me say a brief word about Panama and the Panama free-trade agreement. Panama's entire economic output is only \$26.7 billion a year or about two-tenths of 1 percent of the U.S. economy. Nobody can legitimately claim that approving this free-trade agreement will significantly increase American jobs.

Then why would we be considering a stand-alone free trade agreement with

Panama? It turns out that Panama is a world leader when it comes to allowing wealthy Americans and large corporations to evade U.S. taxes by stashing their cash in offshore tax havens. The Panama Free Trade Agreement will make this bad situation much worse.

Each and every year, the wealthiest people in our country and the largest corporations evade about \$100 billion in U.S. taxes through abusive and illegal offshore tax havens in Panama and other countries.

According to Citizens for Tax Justice:

A tax haven . . . has one of three characteristics: it has no income tax or a very low rate income tax; it has bank secrecy laws; and it has a history of non-cooperation with other countries on exchanging information about tax matters. Panama has all three of those. . . . They're probably the worst.

Let me conclude—and I will be back on the floor later to amplify on these remarks. I will conclude by saying this: If you go out to any community in America and you ask the people in those communities—especially working people—do you think our current free-trade agreements, such as NAFTA and permanent normal trade relations with China, have worked, and have they been creating jobs in your community or have you seen factories shut down, I suspect that in almost every instance people will say these free-trade agreements are not working for American workers. They are costing us jobs.

That is what the American people understand to be true because it is true. So it seems to me that when you have a history of failed trade policies—policies that have enabled and encouraged large corporations to shut down in this country and move abroad, it is insane to continue that policy if you are serious about creating jobs in America, rebuilding our manufacturing sector, and trying to address the crises facing the middle class today.

We need new trade policies. Trade unto itself is a good idea. Everybody believes in trade. But you need trade policies that are designed to help ordinary working people and not just wealthy CEOs.

I feel very strongly that the policies we are debating today—trade policies with Korea, Panama, and Colombia—are nothing more than extensions of disastrous trade policies of the past. They should be defeated. We should come together and develop new approaches to trade, which will benefit all our people and not just CEOs or multinational corporations.

With that, I yield the floor and suggest 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.

Mr. SESSIONS. Mr. President, Senator SANDERS has raised some questions about our trade policy. I do believe we need to examine our trade policies more carefully. As I have said in the last few days, we need to defend our legitimate interests as a nation, and I have supported legislation that would curtail China's ability to manipulate its currency to gain a trade advantage over us.

Trade agreements are not a religious thing with me. I think some of the free traders are accused of believing it is a religious thing—that whatever you do to further trade, even if we are at a disadvantage, somehow it is still better for us to sign these agreements; that we should just do this and not worry about it—cancer will be cured, peace will occur in the world, we will all be better friends, and things will happen good.

Things do tend to happen good when you have a trading relationship with a nation. I will support all three of these trade agreements. But I believe it is healthy to have Senators examine and make sure that these are the kinds of agreements that advance our national interest. Is this the kind of trading partner we feel comfortable signing an agreement with? Will they honor it? Do we have prospects for improved trade over the years that could help both our countries?

Any business that does business with another business presumes it will be beneficial to them, and the other company that agreed to do business with this other company assumes it will be good for them. Certainly, any kind of contract, any kind of agreement that is a legitimate agreement of value benefits both parties. That is very achievable. It can be achievable in the trade world.

I believe that with regard to Colombia, South Korea, and Panama, we have reason to believe they will be good trading partners. Colombia is the longest democracy in South America. They had to go for over a decade dealing with narco-trafficking, a Communist guerrilla force, and we were able to help them defeat their enemy. They are now prospering. They have elections. The Congress is doing a good job. They are honoring their agreements. The people of Colombia are positive about the people in the United States. I have been there and I appreciate that.

As a native of Alabama and on the gulf coast, it is a direct shot south to Colombia. We have every reason to believe we can have a positive trading relationship with Colombia.

Panama is much smaller, but they have done well. A lot of people doubted their ability to function successfully as a government. I think Panama has been doing very well, and they believe in trade and want to be good trading partners. All of these will have to be watched. South Korea is one of our best allies in the world. We have huge amounts of soldiers there and basing in Korea. We do many things together.

Korea has invested billions of dollars in the United States of America.

The Hyundai plant that makes the Sonata automobiles—one of the most popular automobiles in America today—is in Montgomery, AL. There are 3,000 workers, plus additional suppliers, many of which are Korean companies that have invested here and hired Alabamans—Americans—to work in their plant, and they do this around the country. They are honorable and when they sign agreements, you can expect them, as well or better than most nations, to adhere to it. They are disciplined people with integrity and they are smart and well educated. They are allies—strategic allies.

So in each one of these agreements, it is my best judgment that it will be beneficial to us. For example, with regard to Colombia, under the Andean Trade Agreement, basically, they can import products into the United States with no duty, for the most part. But this agreement is critical to them producing their tariffs on the products that we ship to Colombia. Colombia buys a lot of our products. They are one of the best customers we have in South America. They have a positive view of the United States. I have a very positive view of Colombia.

My thought on these agreements would be that, yes, I think each one of these agreements has been negotiated sufficiently well to ensure that we will have a beneficial relationship. It will help us be more economically strong than we would be if we did not have these agreements. We are in a world economy. It makes no sense to me to think we can just build a wall around the United States and stop trade from occurring. That doesn't make sense to me. But I do believe that each and every trade agreement has to be carefully considered, and I expect the USTR to enforce the laws we pass.

We need to be sure we have the mechanisms in place to assure that those with whom we agree to trade will follow fair trade, will follow the terms of the contract, and will otherwise follow the requirements of a decent trading partner. I believe all three of these countries will do that. I think all three of these countries represent decent governments.

All three of these countries are allies of the United States. With regard to all three of these countries, I believe the signing of these treaties will enhance our economic vitality and will be good for us. I suggest, however, that it is not going to be an overnight boom. Trading is a two-way street. We will have economic advantage, and that is sufficient to me. It will be felt over decades. It has been said by someone—and I see Senator MCCAIN and he can probably remember who said it—that there has never been a war between two countries, both of which have a Mac-Donald's.

Now, I don't know if that is accurate anymore or not, but most of the wars we get into are with countries that are

isolated, backward, and insular. Trade can reduce the chance of war and hostile relations between nations. It can build positive relations.

So from that point of view, Mr. President, I think these trade agreements are agreements I can support. I believe my colleagues, if they analyze them, will reach the same conclusion. We are showing substantial increases in our exports to all three of these countries, and I do believe our exports would increase more with these agreements if they are ratified.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from Ohio, Mr. BROWN, be next to speak following my remarks.

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

Mr. BROWN of Ohio. I thank the Senator.

Mr. MCCAIN. Mr. President, I support ratification of the three free-trade agreements we are debating. They are long overdue, and they are important to job creation in this country. While we have waited around, these countries have concluded free-trade agreements with other countries, much to the detriment of American exports.

The best example I can cite of that is several years ago, 40 percent of the imports of agricultural products into Colombia were from the United States of America, while today only 20 percent of their agricultural imports are from the United States because while we have been waiting, Colombia has concluded free-trade agreements with other nations which have given them access to their markets while we were not able to expand. One of the ironies of all this is, thanks to a rather complicated process that took place during President Clinton's administration, the results of the Andean trade preference agreements meant there were tariffs on U.S. goods going into Colombia but no tariff on Colombian goods coming into the United States.

But why I am here this afternoon, Mr. President, is because what has been unremarked on—and which was outrageous about this whole process we have been through in these times of fiscal difficulties—is that roughly \$1.3 billion is going to be spent on the so-called TAA, trade adjustment assistance. I would like to remind my colleagues the TAA was adopted in order to satisfy many of the concerns of labor and others at the time of the passage of other free-trade agreements, and like other government programs, spending on the TAA has grown and grown and grown and grown.

By the way, this was supposed to be for individuals, and, originally at least, individuals who have lost their jobs as a result of jobs going to the countries which free-trade agreements were entered into.

In 2006, it was \$735 million; in 2007, \$779 million; and in 2008, \$791 million.

But following the so-called stimulus package—and the stimulus was supposed to be temporary—it ballooned to \$1.1 billion.

Additionally, according to the Department of Labor, Congress allocated more than \$975 million to fund other TAA services, including \$575 million for job training. In all, the annual TAA spending for the stimulus expansion totaled approximately \$2 billion.

Three weeks ago, the Congress passed an agreement to reauthorize the TAA through 2014. This paved the way for these free-trade agreements to be considered today. The agreement pares back some of the expansions from the 2009 stimulus and funds the program somewhere between the prestimulus and poststimulus levels. This “compromise,” which, by the way, was negotiated by Republicans in the House of Representatives, will increase the annual TAA spending by at least \$460 million above the prestimulus levels before 2012 and 2013. Therefore, the total cost to taxpayers for the deal to allow these trade agreements to be considered by the Senate will be \$1.3 billion through 2014.

According to the Heritage Foundation, the TAA spending legislation passed by this body 3 weeks ago does the following: No. 1, it keeps the 2009 stimulus expansion for service sector workers. The stimulus, by the way, was supposed to be temporary. TAA was originally intended to provide income maintenance and job training to workers from the manufacturing sector. The stimulus bill expanded eligibility to include workers from the service and public sectors. This expansion expired in February, but the agreement restored TAA eligibility for service sector workers.

No. 2, it restored the stimulus expansion of benefits for job losses that are unrelated to free-trade agreements. The agreement retained the stimulus expansion of providing TAA benefits to any workers who lost their jobs to overseas production, not just TAA-certified jobs that were lost to free-trade agreements.

No. 3, it reinstated the stimulus's 160 percent increase in trade adjustment assistance for workers' job training spending. The proposal cemented the stimulus spending expansion of TAA for workers' job training at \$575 million a year from \$220 million, an increase of \$355 million a year.

No. 4, it continued the stimulus's creation of a new and duplicative job-training program. The agreement kept the TAA Community College and Career Training Program, which will dole out \$2 billion over the years 2011 through 2014.

So this program cries out for significant reform. The previous administration's agency leader called for FAA deficiencies to be addressed for the displaced workers who need the TAA benefits. In testimony before the House Ways and Means Committee on June 14, 2007, the Deputy Assistant Sec-

retary of Labor called on Congress to take the “opportunity to improve the current TAA program to help workers gain the skills needed to successfully compete in the global economy.” The administration didn't listen and neither did Congress.

Let's look at an example of excess created in the temporary stimulus expansion of the TAA program that taxpayers are still on the hook for. According to a February 2011 study by Senator COBURN entitled, “Help Wanted: How Federal Job Training Programs are Failing Workers,” quoting from the study that Senator COBURN brought to this body:

Taxpayers may have a case of indigestion when they learn, nearly 2 years after the stimulus was enacted, their money is paying lobstermen, shrimpers and blueberry farmers \$12,000 each to attend job training sessions on jobs that they are already trained to do. The stimulus reauthorized the Trade Adjustment Assistance for the Farmers program administered by the U.S. Department of Agriculture, a program that provides subsidies to producers of raw agricultural commodities and fishermen so they can adjust to import competition. Under the stimulus, TAA benefits were enhanced to focus more on employment retraining.

Recently, the Department of Labor issued a report on the TAA program which indicated that only approximately 50 percent of the TAA training participants were actually placed in new jobs. While we can be happy for the 50 percent that used the training for new employment, a 50-percent success level is, of course, dismally low. Our obligation should have been to reform and fix the flaws in the program. Instead, we expanded it.

I am a big supporter of America's community colleges. One of the best community college networks happens to be in my home State of Arizona. It has been suggested that the TAA for Community Colleges Program, which was vastly expanded in the stimulus bill, has become nothing but a vehicle to funnel scarce tax dollars to community colleges around the country whether they need the money or not, with no performance reviews, no standards for graduation, and no oversight.

In March 2010, the Senate and House leadership, together with the administration, funded the TAA for Community Colleges Program \$2 billion over 4 years. Just last month—conveniently, right before the end of the fiscal year—the Department of Labor rolled out the money to individual community colleges and consortiums of community colleges. The money started flowing without regard to how well the community colleges did at graduating their students or whether there was sufficient TAA need.

Several of the community colleges have received grants of over \$2½ million of taxpayer funds while having extremely low graduation rates. Shouldn't we ensure that an institution can actually graduate its students before funneling money to it?

For example, Oklahoma City Community College received \$2.7 million.

This institution had a graduation rate of 11 percent. If there was any doubt that the administration was using this program to funnel money to community colleges without regard to need or their ability to help dislocated workers receive training, let me just read from the Department of Labor grant announcement issued last week.

The following is a list of the entities in each State that will be receiving funding. The Department of Labor's Employment and Training Administration is continuing to work with these institutions to develop final performance operating and spending plans.

Earlier this year, the GAO released a study entitled “Multiple Training and Employment Programs: Providing Information on Collocating Services and Consolidating Administrative Structures Could Promote Efficiencies.” Here is what the GAO reported on Federal employment and retraining programs, including trade adjustment assistance.

Based on our survey of agency officials, we determined that only 5 of the 47 programs have had impact studies that assess whether the program is responsible for improved employment outcomes. The five impact studies generally found that the effects of participation were not consistent across programs, with only some demonstrating positive impacts that tended to be small, inclusive, or restricted to short-term impacts.

So what are we doing? We are going to spend at least \$1.3 billion, part of it on programs that clearly the Government Accountability Office says have not been productive in any way and are small, inclusive, or restricted to short-term impacts.

There are a lot of questions about the TAA Program. Does the TAA Program provide overly generous benefits to a narrow population? According to an analysis from the Heritage Foundation, based on statistics from the Bureau of Labor Statistics, in the third quarter of fiscal year 2009 only 1 percent of mass layoffs were the result of import competition or overseas relocation.

Is there evidence that TAA benefits and training help participants' earnings? An analysis by Professor Kara M. Reynolds of American University found “little evidence that it [TAA] helps displaced workers find new, well-paying employment opportunities.” In fact, TAA participants experienced a wage loss of 10 percent. The same study found that, in fiscal 2007, the Federal Government appropriated \$885.1 million to TAA programs. Of this amount, funding for training programs accounted for only 25 percent.

In 2007, the Office of Management and Budget rated the TAA programs as “ineffective.” The OMB found that the TAA Program fails to use tax dollars effectively because, among other reasons, the program has failed to demonstrate the cost effectiveness of achieving its goals.

Let me close by reminding my colleagues how we got to our current predicament. It is mid-October of 2011, 2½ years since President Obama took office, and we are just now considering

these important trade agreements that were finalized half a decade ago, all because of the White House's insistence on making a temporary stimulus program—the dubious extension of TAA—into a permanent domestic spending program.

This is how George Will summed it up, writing in the *Washington Post*, on June 8, 2011:

President Obama is sacrificing economic growth and job creation in order to placate organized labor. And as the crisis of the welfare state deepens, he is trying to enlarge the entitlement system and exacerbate the entitlement mentality.

On May 4, the administration announced that, at last, it was ready to proceed with congressional ratification of the agreements. On May 16, however, it announced it would not send them until Congress expands an entitlement program favored by unions.

Since 1974, Trade Adjustment Assistance has provided 104, and then 156, weeks of myriad financial aid, partly concurrent with the 99 weeks of unemployment compensation, to people, including farmers and government workers and firms, even whole communities, that can more or less plausibly claim to have lost their jobs or been otherwise injured because of foreign competition. Even if the injury is just the loss of unfair advantages conferred, at the expense of other Americans, by government protectionism.

This process should be appalling to the average American who is looking for an improving economy, not special favors to certain special interest groups.

Our national debt has reached unsustainable levels. Congress and the American people face some truly painful choices about how to cut our Federal budget. At a time when some are even considering enormous and dangerous cuts to our defense spending as a way to get our fiscal house in order, we shouldn't be throwing more and more scarce money at a Federal program that, as the GAO points out, is duplicative and possibly ineffective.

There is guilt on both sides of the aisle for the extension of this program. It has not had proper scrutiny, it has not had proper oversight. The studies that have been done have shown that it is practically useless—or certainly not useful—and ineffective; and now, as a price for these free-trade agreements, which I strongly support, we will be laying another \$2 billion on the taxpayers of America, unfortunately.

Mr. KYL. Mr. President, I would like to briefly explain my position on the free trade agreements/trade adjustment assistance package.

I support the free trade agreements, FTAs, with Panama, Colombia, and South Korea, and only wish these agreements had been taken up sooner. The FTAs represent true, bipartisan jobs legislation, and I am pleased they will soon become law. Free trade agreements have proven to be one of the best ways to open up foreign markets to American exporters. These agreements will create tens of thousands of new jobs by boosting American exports to three nations. The FTAs will also strengthen America's interests in two strategically important regions.

I do not, however, support the trade adjustment assistance, TAA, deal that was negotiated as part of the compromise to pass the FTAs. Nor do I think it should have been included in the FTA negotiations.

I have several key objections. First is the enormous costs. Over the next 3 years, the TAA deal adds over \$1.15 billion in new costs to the baseline TAA costs. Together, baseline TAA and these provisions will cost almost \$6 billion for the 2011–2013 fiscal years.

Second, the TAA deal does not represent a true compromise. The proposal was made only by three of the strongest TAA supporters. No critic of TAA was included in the negotiations.

Third, the umbrella of TAA programs deserved greater scrutiny than the process allowed. Instead of a moving a reauthorization with some rudimentary changes, fundamental reform should have been completed. There is little evidence that the TAA programs are actually effective, and, under this deal, we are going to spend billions of dollars on these programs without knowing whether they actually help Americans. Moreover, no work was done to reform the TAA training funding to reflect the fact that there are already over 40 programs dedicated to worker training.

Fourth, the TAA deal represents false reform. Proponents try to take credit for eliminating two grant programs within TAA for communities—programs which were already repealed. Proponents also cite the elimination of the mandatory nature of TAA for farmers/fisheries, which were already defunded for other purposes. Only in Washington would someone try to take credit for “ending” programs that no longer exist or that have no funding.

Proponents also claim that the size of the TAA for firms program was reduced. But that program represents a status quo authorization and is one already targeted by President Obama for elimination. How does level funding and rejecting a repeal recommendation constitute reform?

For these reasons, and others, I voted against the trade adjustment assistance legislation when it was considered a few weeks ago. The FTAs are sufficiently meritorious on their own accord without tying in a poorly designed and operated social welfare program such as TAA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I would like to speak in opposition to these three pending free-trade agreements.

The bills look like they are about this size. These are the actual implementing of the three free-trade agreements. But one of the bills, and not the largest one—the one, in fact, of the three countries we are probably today passing trade agreements with, Colombia, South Korea, and Panama—the smallest by far in terms of its economy

is Panama, and this is the trade agreement with Panama.

I remember all these conservative talk radio people saying: Have you read the bill? Have you read the bill? Have you read the bill? Every time it is a bill they don't agree with, they ask: Have you read the bill? This isn't just to eliminate the tariffs we have with the Republic of Panama. If these agreements were about eliminating tariffs with labor standards—and I know the Presiding Officer from Oregon shares that view about labor standards. If these agreements were about eliminating tariffs and labor standards, they would be about this big. They wouldn't be anything like this. But these are chock-full of special interest deals. It is what this body always does: the North American Free Trade Agreement with Canada and Mexico; the PNTR with China, a different kind of situation but leading to even more problems; the Central American Free Trade Agreement with six countries in Central America and the Dominican Republic. Rules that help the drug companies, rules that help the insurance companies, special interest provisions that help the banks, special interest provisions that undermine public health and undermine safely, that is what these free-trade agreements are about.

I get it. I get it that this is greased. I get it that this will pass with overwhelming numbers. I get it that this White House is only this much better than the last White House in pushing for these trade agreements. These are Bush trade agreements, Korea, Colombia, and Panama. President Obama inherited them, but he doesn't get off the hook because he has improved these slightly. We have a little bit of an improvement with Korea so a few more American cars can be sold into Korea, nothing like the number of Korean cars that can be sold in the United States because we didn't want to be that tough when we negotiated, so we just make slight changes. This President made slight changes, and I have seen this. I was in the House for 14 years, and in my first term in the Senate I have seen this kind of game played by administration after administration. This is technically my fourth administration I have worked with, third at some length, and I have seen this over and over and over again.

When I hear of these trade agreements coming forward, every President says this is going to create tens of thousands of jobs. NAFTA was going to create 200,000 jobs, almost immediately, the first Bush administration said. The Clinton administration said: Yes; that is right. It is going to create more or less 200,000 jobs immediately. Do you know what it has created? It has created a loss of 600,000 jobs under the North American Free Trade Agreement. We gain some jobs; we lose some jobs, but the net is always lost jobs.

How many times is an administration going to come forward and how

many times are we going to believe them? Fool me once, shame on you. Fool me twice, shame on me. This body continues, as the House of Representatives does—they are a little smarter in the House; they don't pass these with quite the same numbers in the overwhelming margins, but they continue to do the same thing over and over and over.

The American public doesn't like these trade agreements. The American public, in large numbers, under poll after poll after poll—the American people don't like NAFTA, don't like CAFTA, don't like PNTR with China. Why do you think last night, finally, this body stood—63 Members of the Senate, almost 20 of them Republicans, voted to finally stand up on currency and try to create a level playing field in our trade with China? But we don't do it on these other trade agreements. With the lobbying efforts on NAFTA, on CAFTA, on PNTR with China, on the Panama Trade Agreement, on the Colombia Trade Agreement, on the Korea Trade Agreement, the lobbying is overwhelming. Special interest groups line up because they are so excited about passing these free-trade agreements. In the end, we lose jobs every single time.

When I came to the Congress 20 years ago, we had a trade surplus with Mexico and, if I recall, a small trade deficit with Canada. That means we sold more to Mexico than we bought from them. We bought more from Canada than we sold to them. Today, it is tens of billions of dollars' trade deficit we have bilaterally with those two countries.

The China trade deficit 10 years ago, when China got into the World Trade Organization because we passed PNTR in part—that is part of the reason they got in—our trade deficit with China was something like \$80 billion; today, it is almost \$300 billion, more than three times the trade deficit with China. So our answer is, let's do more of it.

So China undercuts our manufacturing. NAFTA takes away American jobs. CAFTA costs us jobs. Yet the geniuses around here, the people—and the majority leader has been wonderful in this, opposing trade agreement after trade agreement because he gets it—the geniuses around this place, in the White House, in the House leadership, in some of the Senate leadership, Senate Republican leadership, and far too many of my colleagues on my side of the aisle, the geniuses around here are saying: Let's pass more trade agreements because it is working.

Give me one other issue where people in this body en masse, in huge numbers, say: This trade policy isn't working so let's try more of it. That is exactly what we have done. We continue to pass trade agreements that look a lot like NAFTA. We continue to pass trade agreements that get us in this situation that cost us jobs.

I am for more trade. Like most Americans, I want to see us trade more

with other countries. But like most Americans, I have a problem with many of the rules that govern our trade policy because these aren't simple—eliminate tariffs. This is a trade policy that time after time favors corporate or investors' interests, and, in some cases, actually undermines our national security and undermines our national interests.

When we see the kind of job loss that NAFTA caused and CAFTA caused and PNTR caused, and these trade agreements with Panama and Korea and Colombia cause, we know this is not good for our national interests.

That is why I object to these trade agreements: They are more of the same broken promises, the same promises about: Oh, yes, it is going to create jobs. The same promise about: Oh, yes, it is going to expand our markets.

It may expand our markets a little bit, but it costs. We may sell some more, but we are buying a lot more from these other countries because the trade agreements simply aren't working.

Trade agreements are permanent. They often handcuff Congress and State legislatures from setting new priorities. North American Free Trade Agreement. I have heard Presidential candidates in campaigns say: Yes, they would work to renegotiate or even repeal NAFTA. Then they raise their right hand, get sworn in to be President of the United States, and they kind of forget they promised that.

These trade agreements undermine "Buy American" policy. How does that work? Because when we pass free-trade agreements, our FTAs, bilaterally or trilaterally with other countries, it doesn't give the same standing to our "Buy American" provisions. Do you think countries around the world don't have buy whatever their country is? You don't think the Chinese give special preference to "Buy China"? You don't think other countries ever give special preference? But we couldn't do that here because that would mean we aren't practicing free trade.

Every country in the world practices trade according to their national interests. But what do we do in the United States of America? What do we do in the Senate? What do they do in the House? What do they do in the White House? They practice trade according to some economic textbook that was printed before these pages sitting in front of me were even born.

These trade agreements lack any meaningful way to withdraw if the promised benefits don't materialize. We passed these trade agreements in Ohio communities from Springfield to Chillicothe to Portsmouth to Ash-tabula to Toledo. These Ohio communities can't understand why they are so buffeted by these trade winds that so often undermine their ability to make a living.

These trade agreements were originally negotiated by the Bush administration. I don't blame President Obama

for that. But to the rest of the country, hearing the Obama administration talk about these trade agreements sounds like a continuation of the incoherent approach to America's engagement in the global economy that we saw with the Bush trade agenda.

Many of us on this floor have criticized the Bush trade policy. The Obama trade policy—I am a Democrat, he is a Democrat. The Obama trade policy is better than it was under the Bush trade agreement. The Obama administration has made these three trade bills a little better—at least Korea a little better than it was—a little better. The Obama administration has actually enforced trade laws when the Chinese cheat on tires, when they cheat on oil country tubular steel, when they cheat on glass, when they cheat on aluminum, when they cheat—not on glass; when they cheat on paper. We have made some progress.

There is a new steel mill in the Mahoning Valley in Youngstown, in large part, because President Obama enforced trade rules, trade laws with the Commission Department of the International Trade Commission. It is interesting, though. When the President went to Youngstown to talk about the opening of the steel mill, he talked about the Recovery Act, and the Recovery Act put some dollars and infrastructure around the steel mill, but he neglected to talk about trade policy, which he had enforced for these agreements. That is all behind us.

But these trade policies ignore the elephant in the room, which is our trade relationship with China. Last night, as I said, the Senate did the right thing on a strong bipartisan vote on Chinese currency. But, unfortunately, some of the opponents of cracking down—unfortunately, I guess. Opponents of cracking down on China's currency manipulation are the same supporters of these trade agreements and, on both issues, respectfully, they miss the point. People have heard the same promises from NAFTA and CAFTA and China PNTR: Businesses promise more jobs from increased exports. Yet no one talks about the increased imports that pale in comparison.

So when I used to hear President Bush, Jr.'s predecessor, Bill Clinton, always talk about look how NAFTA and these agreements are increasing exports, well, they do increase exports, but they increase imports so much faster. It was President Bush, first, who said some years ago that for every billion dollars of trade, either surplus or deficit, it translated into 13,000 jobs. I don't know if that number is exactly correct—it probably is a little less than that now with inflation what a job is worth in dollars. But if \$1 billion in trade surplus creates 13,000 jobs, that means \$1 billion in trade deficits costs us 13,000 jobs.

So when I hear people say: Oh, these trade agreements, they are increasing exports, we have to tell the whole story.

It is akin to a sports reporter on the 11 o'clock news reading the baseball scores and saying: The Yankees scored seven runs tonight. That means maybe they won? Well, it turns out the Indians scored nine so the Yankees lost, which is a good outcome. But the fact is, when we are talking about trade, we don't just brag about exports. We have to look at what the value of the imports was too. We are not talking about that. No one likes to talk about the communities that are left cleaning up after a plant is abandoned, moved to somewhere else. No one likes to talk about the families who are devastated when the plant closes and they lose their jobs. Nobody wants to talk about what happens to our national security when a steel mill closes and the jobs go elsewhere.

To keep up, each month the economy must add 150,000 new jobs, just to keep up with population growth. There are 14 million who are unemployed and another 15 million who are underemployed or who have stopped searching for work. What do Korea, Colombia, and Panama trade agreements have to do with that? We did a great thing last night by standing up to China on currency, but then we are giving it away with trade agreements such as these that cost us jobs rather than increase jobs. I do not get it. A good week? It was not such a good week for international trade and for us creating jobs in this country.

Most people, when they think about trade, think about goods and tariffs, but these agreements are not just about tariffs. If they were just about tariffs, as I said, these agreements would be relatively short, a simple declaration of tariff rates. Instead, as I said, these agreements are hundreds of pages on procurement rules and financial services and investor-state dispute resolution. What does that mean? What it means is a whole lot of corporate lobbyists lobbied the administration—the Finance Committee, the Ways and Means Committee, the Senate and House committees that work on these things—and struck gold. It means these corporate lobbyists had their way in Washington again, that these corporate lobbyists never lose on these trade agreements. In the end, they almost always get their way, but it so much and in so many ways undermines our public interest and certainly undermines jobs.

These are complex agreements. They do not have to be that complex. But then some of my colleagues say we are falling behind when Brazil and Korea and the European Union sign trade deals. What they do not say is that these are not the same kinds of agreements. If they were just about lowering tariffs in a reciprocal way—but they are not—if they were not the United States giving away the store for a little access, if they were just about tariffs, as I said earlier, and strong labor standards, we probably would have had a voice vote and passed them already.

But these are not the same deals Brazil or the European Union signs with Korea. Let me explain that for a moment.

The European Union-Korea agreement does not have investor-state dispute resolution. Most countries have strong legal systems, and the EU and Korean negotiators decided they did not need to create a new privileged process under the trade deal to resolve disputes. In other words, if Korea has a food safety rule and the European Union has a food safety rule, they do not have to come into conflict because they do not have this dispute resolution that we do in our agreements. Then what happens when it is food safety or product safety? Do you know what happens? The country with the weaker rules wins.

What these trade agreements with the investor-state provisions—something the Europeans and Brazilians didn't do with Korea—with these provisions, it means we are weakening food safety laws, weakening consumer protection laws, weakening the kind of sovereignty that I thought people—particularly conservatives in this body—cared about.

When an investor can challenge a law in Korea or the United States under the special privilege process, outside the normal legal system, it can have the effect of chilling nondiscriminatory safety rules. But having a special privilege system outside the normal legal process is exactly what some companies want in these trade deals. In other words, if a company in the United States cannot find a way—if they are unsuccessful at lobbying the Senate, the House of Representatives, and the President, unsuccessful in weakening consumer protection measures or undermining a food safety rule, if they have been unsuccessful doing that directly here, through these trade agreements they are able to do that.

If Panama has weaker rules on investor protections, has weaker rules on financial consumer protection, weaker rules on food safety laws, then, through these trade agreements, it gives these corporate interests a back door to weaken our safety rules.

We fight like crazy around here to have strong consumer protections, to have safe pharmaceutical rules, to have good, strong pharmaceutical safety rules. We fight for those things, but then we are going to allow these trade agreements to undermine that.

These agreements affect investment dynamics and corporate decision-making. They affect how a company makes decisions in 2 years, 5 years, 10 years, so these are important long term for these companies. Yet Congress has a few hours to debate these and vote up or down, with no amendments. These agreements are permanent. They affect the flow of goods and services on a permanent basis across the world for decades to come. These agreements are hundreds of pages, and here we are fitting them into the workweek, voting

them up or down. The vote tonight is at 6:30.

I don't hear Rush Limbaugh, I don't hear the Washington Post, I don't hear others—conservatives on the other side of the aisle say: I can't believe you are jamming this through so fast, which is what they said on health care, which took months and months. They jammed this through in 48 hours, but that is OK because it is a trade agreement, even though it is this long and nobody has read it. I am almost sure that there is not one Senator out of 100 and maybe none in the 435 in the House of Representatives who actually read this bill. And this is the least consequential. This is the Panama trade agreement. This is not Korea, which is much bigger. This is not Colombia, which is significantly bigger. Yet we decided it is OK to fit this because fast track—the way we do trade agreements—has a whole special set of rules.

In my mind, nothing I know of in this body has this special set of rules that trade agreements get. They have to be debated quickly. There is a time limit once they are sent up by the President. There is no hold allowed on a trade agreement. There is no filibuster allowed on a trade agreement. There is no 60-vote threshold. There is a 60-vote threshold on confirming a Federal judge out of Toledo, OH. There is a 60-vote threshold on an Under Secretary of Interior. There is no 60-vote threshold on an agreement of hundreds of pages that will last forever with the Republic of Panama or Colombia or Korea, no 60-vote requirement, no hold, none of the rules of the Senate that might slow this down. Do you know why? Because these are chock-full of special interest provisions that every insurance company and drug company and bank can get their way and get this in permanent law. No scandal there, not with that. We will do it on every other bill but not trade agreements.

Two things, and then I want to close with a story.

Think about what fast-track authority does. I want to pursue that with a little more detail, about how we have these special rules in the Senate only for trade agreements, for nothing else.

First of all, with fast-track authority, in addition to having rules in the Senate that are very different from other rules in order that these pass quickly, we also delegate authority to the executive branch—something we normally don't do. We allow the executive branch to set the substance of the negotiations. The executive branch is only required to notify Congress 90 days before signing the agreement. The executive branch writes the implementing legislation for each trade pact without the committees of jurisdiction having actual markups. In other words, it circumvents the normal committee process. Once the executive branch has submitted the bill, we have to vote for the implementing bill within 90 days. The votes in both Chambers are highly

privileged. Normal congressional floor procedures are waived, including unanimous consent. Debates are limited, and no amendments are allowed. The result is that Congress is given little time. In the present case, the Senate has 4 hours to debate each agreement.

I am amazed. I mean, where are the conservatives in this country who said: Don't give Barack Obama so much power. You just did when you passed this. Why? Because it is a trade agreement. The rules are always different. MITCH MCCONNELL, the Republican leader, said his No. 1 goal in 2011 and 2012 is to make sure Barack Obama is a one-term President. We don't want to give him any power, we want to criticize him on everything—except, Mr. President, we would like to give you this, and you do whatever you want on these special trade agreements. Just the hypocrisy here on trade is beyond belief.

Let me close with what I think may tell the story of the importance of how we practice trade around the world. Some years ago, I flew into South Texas at my own expense, rented a car, and with two friends crossed the Texas-Mexican border just to follow up on what had happened with NAFTA. This was the mid- to late 1990s. I wanted to see how NAFTA was working out for the United States and Mexico along the border where there were so many manufacturing plants.

Right near the border, there was an auto plant, a GM plant. This GM plant looked just like a General Motors plant, not much different from Lordstown near Youngstown, not much different from the GM plant in my hometown of Mansfield, which unfortunately is now closed, not much different from any other auto plant. It was modern, the floors were clean, great technology. But there was one difference between the two plants, one major difference: The GM plant in Mexico didn't have a parking lot because the workers were not paid enough to buy the cars they made. That may tell you something.

I didn't do this, but go around the world, and in Malaysia, in the Motorola plant, the workers didn't get paid enough to buy a lot of the Motorola electronics they made. Then go back to Central America and go to Costa Rica, and the workers in the Costa Rica Disney plant were not making enough to buy the toys for their children that they made. Go to China, go almost anywhere in the world in these developing countries where we either have trade agreements or where our trade policy has such impact, where companies in the United States shut down—never in world history have companies in one country, to the degree they do here—they shut down in the United States and move to China, move to Mexico, move to Malaysia, move to Indonesia, and then they sell their products back to the United States.

How do you build a country's wealth when you do that? And the reason they

do is because these workers in Mexico who are building cars, in Malaysia making electronic equipment, in Costa Rica making Disney toys—these workers don't share in the wealth they create. They are not making enough from the jobs they do to buy the things they make.

The beauty of our system and what has made the United States a prosperous country with a strong middle class is—partly because of unions, partly because of democracy—is our workers typically earn enough that they can buy the products they make. In other words, if the workers are creating wealth for the company, for their bosses, they get paid enough, they can extract enough of that wealth that they can have a decent standard of living. Not in Mexico, China, Malaysia, or many of these countries that are part of this free-trade regimen.

Let me take you to one more place on this little tour around the world. Let me take you to a midwestern meatpacking plant. Most of these meatpacking plants were union plants. They had very little turnover. Workers were making very good wages, and they were safe, by and large, because the workers had demanded safety and the U.S. Government had enforced it.

Well, what has happened in the last 10 or 15 years in these meatpacking plants is the union has been busted. Many of the workers are immigrants. They are immigrants who—probably some of them are not legal, but certainly these immigrants who are there are not about to form a union. They do not speak English, sometimes, very well. They are not so certain they are going to be able to stay in this country. They are just not going to speak out. They are hardly ever going to talk back to their boss and will never form a union.

Here is what happened. It used to be in those plants—pardon me if my numbers are not precise here because it has been a while since I thought about this—it used to be in these meatpacking plants that the workers would stand there, they would have the vinyl aprons and a sharp knife because they were processing beef, and the carcasses would be hung on the big hooks, and the carcasses would slowly go by, about 150 an hour, something like that. So these workers would be standing there and they would make their cut as the carcasses went by slowly, 150 an hour. After they busted the union, they sped up the line. When it is 150 an hour, that is about the right speed for them to do this work. They almost doubled the speed of the carcasses as they went by, and two things happened: Workers had to hurry, so they were more likely to hurt themselves because they would aim the knife, and because it was moving fast, they might end up glancing off the bone and cutting their leg. The other thing that would happen is workers were much more likely to drop their knives, quickly pick them up, wipe them on their apron, and go back

to work. Here is the interesting thing. The line had sped up to 300, more or less, an hour. On Thursdays they slowed the line back. Do my colleagues know why? Because Thursday was the day these meatpacking companies were shipping those carcasses, that processed meat, to Europe, and Europe has higher food safety standards than the United States does. So if these workers could work fast, and if they dropped the knife and wiped it off, the meat might get a little contaminated. That is OK for U.S. food safety standards, but the Europeans, who had higher food safety standards, said, We are not buying your beef unless you slow the line down and make it safer.

That is what globalization would be. It is not just workers in Mexico who can't buy the cars; it is not just Motorola workers in Malaysia or Disney workers in Costa Rica who can't buy the products they make; it also undermines our food safety and drug safety and consumer protection.

These agreements are not trade agreements. They are special interest laws that never see the light of day because of the peculiar rules of the Senate.

We should be ashamed of ourselves for passing these agreements, period, and especially passing them under these provisions. I hope the administration learns something from this. I hope the administration decides, on these trade agreements, instead of being on the side of the largest corporations in the country and in the world, which don't always look out for American interests—I hope the administration and the Members of the House and Senate will decide they want to be on the side of American families, of American communities, of American workers, of American small companies that make goods and want to sell all over the world.

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

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WYDEN. Madam President, international trade has always been controversial. That has been true since the days of the Smoot-Hawley effort—Hawley, by the way, was an Oregon Congressman—and it continues to be true today. It is important to our country and important to my home State that I made a special priority, when I was given the honor of serving on the Senate Finance Committee, to queue up to be able to chair the Subcommittee on International Trade and Global Competitiveness, because I think it important that we continue our work here in the Senate to keep pushing to keep our trade policy on the right track.

I wish to describe today three aspects of this debate that are indisputable. In other words, we have lots of differences of opinion with respect to past agreements—did they create jobs, did they not create jobs, and how did they affect various parts of the country—and suffice it to say reasonable people can differ with respect to these analyses. But I have been able, as the chair of this subcommittee of the Senate Finance Committee—the Subcommittee on International Trade and Global Competitiveness—to dig deeply into this issue.

I believe there are three indisputable positions with respect to the agreements we will be voting on tonight that the Senate ought to take into consideration that are at the core of why I will be voting later this evening in favor of the agreements.

The first position is there is a huge appetite all around the world for American goods and services. We are the gold standard. People around the world want to buy Brand USA. They want to display it. They want to feature it. There is no question that we have an opportunity to feed this huge demand for American goods and services. I think we ought to go forward and tap this opportunity. The bottom line is if we don't take this opportunity to burnish this Brand America and get our goods and services around the world, we can be very sure that somebody else will be right there, and it is most likely to be China. That is point No. 1. I think it is indisputable.

Point No. 2 is the challenge today in global markets is to capture the entire supply chain. That means everything from raw materials to component parts to the finished good. When I talk about this opportunity to capture the global supply chain, what it means to me in Oregon, and I think it means the same thing in North Carolina or South Dakota—I see my friend and colleague, who is the ranking member on the trade subcommittee, and it has been a pleasure for me to work with him—and I think all over the United States, capturing this supply chain in the global economy means the same thing, and that is what we ought to do—what I say at home in Oregon and I am sure my friend in South Dakota says exactly the same thing, let us grow it in Oregon, let us make it in Oregon, let us add value to it in Oregon, and then let us ship it somewhere. It is a huge opportunity we have in front of us to tap this global supply chain where, once again, if we walk away from this kind of opportunity, we can be very certain that China will be right there to fill the void.

The third issue involves the question of tariffs. I have heard people say, well, these agreements have lots of other things in them, lots of other provisions that are unrelated to tariffs. There is no question that is accurate. But at the end of the day, if American import tariffs are in low and American goods are faced with very high tariffs when they

arrive into foreign markets, that is a very substantial advantage for our trading partners. As I highlighted yesterday in the Senate Finance Committee, when we want to send our beef, Oregon beef, to Korea, we sometimes face a 40-percent tariff. When Korea sends their beef to us here in the United States, it can be as low as 4 percent. That is a tenfold difference.

I could go through a whole host of other products.

Oregon wine faces a tariff in Korea that is fifteen times higher than wine that is imported into the U.S.

Value-added wood products. I know the Presiding Officer, the Senator from North Carolina, cares an awful lot about wood products. Well, the fact of the matter is, if we want to send finished wood into Korea—not the raw materials. We all know what we want to do, again, is add value to wood products, a key component of the Pacific northwest's economy, of the southern economy. We want to add value to it. Well, the fact is, the tariffs are four times as high for finished wood products in Korea as they are here in the United States.

These are indisputable facts: the question of the tariffs, the question of the global supply chain, and the Brand USA opportunity I have described as this huge appetite for American goods and services that exists around the world that I think we will be making a grave mistake to pass up an opportunity to level the playing field by dismantling foreign trade barriers to U.S. goods and services, whether they are tariffs or otherwise. The free trade agreements with Korea, Colombia, and Panama provide us an opportunity to level the playing field for U.S. producers who would like to feed the appetite for American goods and services in Korea, Colombia, and Panama.

There are a lot of other issues associated with the votes we are going to have to cast. I feel very strongly about the trade adjustment assistance program because I want to make sure, in an economy that is constantly changing, our workers have a trampoline, in effect, to get the training and the skills they need to succeed, which may mean moving into new careers. People think the Trade Adjustment Assistance Program is just about workers. This is a crucial program for employers, and that is why it has so much support among employers. Employers need workers with the types of skills that enable them to be competitive in global markets, and trade adjustment assistance helps in this regard.

By the way, one of the concerns business is continually citing, and increasingly so, is the mismatch they often face where they need workers who have one sort of skill but the workers in their community do not have what they need. So, with the Trade Adjustment Assistance Program, we can close that skills gap, we can do more to ensure businesses can get the type of workers they can rely on to be efficient

and competitive. So, the idea that trade adjustment assistance is just for workers is a mistake. It is a major plus to our employers. Oversight over trade adjustment assistance is going to be one of the things that the subcommittee on trade, which I chair, is going to zero in on.

Worker issues: Another one we will be looking at on the subcommittee involves issues relating to workers rights under the U.S.-Colombia Free Trade Agreement. There, our concern is violence—demonstrable, serious violence against Colombian union members and the impunity the perpetrators of such violence have enjoyed.

This situation does seem to be getting a bit better. The Santos administration understands the concern. There is an agreement with Colombia on an action plan on labor that sets in motion a series of steps the Colombian Government is taking to provide workers with more adequate labor rights and protection from violence. But there is a lot more to do, and I intend to conduct meaningful oversight over the labor situation in Colombia and Colombia's adherence to its commitments to the Obama administration. As far as I am concerned, that is going to start as soon as these agreements have been voted on. Senator STABENOW, Senator CARDIN, and Senator MENEDEZ will be joining me, and we are all going to be doing more to make sure the Obama administration provides the Congress with annual reports on the labor situation in Colombia and the impact of the labor action plan that was reached by the Obama administration and the Santos administration.

I have mentioned trade adjustment assistance. I have mentioned labor rights. I want to close in terms of future work that is related to this topic by talking about China because certainly these trade agreements and the ability to tap the opportunity, particularly in our country, for family wage employment through more exports is going to require tougher enforcement of our trade laws and, particularly, the Obama administration getting serious about enforcing the laws on the books.

We have had a series of investigations looking at cheating—cheating, Madam President. I use that word specifically. I guess you could call it merchandise laundering because some foreign producers, when they are faced with U.S. trade remedy laws, like anti dumping and countervailing duties, instead of doing the right thing and coming into compliance, decide to ship their U.S.-bound merchandise through another country in order to falsify the country of origin import documents. This is going to be an even more important challenge when the trade agreement with Korea goes into force. Fortunately, we have bipartisan legislation in order to stop this type cheating, to strengthen the enforcement of our trade laws. It is going to be even more important to pass that effort to eliminate this kind of cheating because

with respect to the agreement and Korea, Chinese suppliers have a long history of laundering their goods through Korea in order to avoid U.S. trade laws by suggesting the Chinese merchandise is from Korea.

On the question of cheating, we have documented the problem in our hearings of the Finance Subcommittee on International Trade. And we have a bipartisan bill with, I believe, four Democratic Senators and four Republican Senators. It's called the Enforce Act and we are ready to move it forward. I was very pleased, in the discussion in the Finance Committee, Chairman BAUCUS and Senator HATCH, the ranking minority member, said this effort to fight these practices, this kind of cheating—which potentially could get worse unless you strengthen enforcement—Chairman BAUCUS and Senator HATCH said it was going to be a priority for them, and they wanted to make our antichecking legislation a must-pass effort before the end of this year, that they would attach it to a must-pass piece of legislation.

I could go on.

Even today, the administration is going forward with the anti-counterfeiting trade agreement, or ACTA, without doing it with the approval of the Congress. I think that is a mistake. I think that may be misreading of the law that the executive branch can do it of its own accord, and many legal scholars agree. We are going to tackle that in the days ahead because those issues are important now. They will be even more important, given the expansions of trade and commerce when these agreements are approved.

So there is a lot to do to keep the country's trade agenda on track. Level the playing field for U.S. producers. Ensure we have a competitive workforce. Advance labor rights, and enforce the trade laws to combat unfair trade. At the end of the day, if we miss one opportunity to do more to market our brand around the world in order to enable Americans to make things here and grow things here and continually add value to them, dominate that supply chain—which I think is going to be the overriding issue for global competitiveness in the days ahead—if we walk away from those issues, and enabling U.S. producers to export—to feed the foreign appetite for our goods and services—we are walking away from the opportunity for American workers to get the good-paying jobs in the private sector that they need.

In my home State, international trade is a very significant barometer of our economy, with estimates even being that one out of six jobs in Oregon depends on international trade, and the trade jobs pay better than do the nontrade jobs. I want America to be the leader in seizing the opportunities that exist to sell goods and services in foreign markets. I want Oregon producers of high-value goods and services to benefit from our efforts here in the Senate to level the playing field in

global markets. These trade related jobs that we can help create—I call them red, white, and blue jobs—these are the kinds of jobs I want for this country that I know the Presiding Officer wants, where we do allow American productivity and American ingenuity to continually innovate and compete.

There are other issues. I know the Presiding Officer cares a great deal about tax policy, global tax policy. Senator COATS and I have a bipartisan tax reform proposal. We look forward to working with the Presiding Officer on that issue.

But today is a chance to expand our opportunity to get the American brand, the USA brand for goods and services, in markets that are growing, in markets that you can bet China wants.

I know this is controversial. Trade policy always is. But I think, for our workers to get the chance to get our goods and services into growing markets—growing markets that China wants—that my colleagues support the trade agreements that are before us today.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Madam President, I, too, rise in strong support of the pending trade agreements with America's allies, Colombia, South Korea, and Panama.

These agreements hold great promise for American farmers, manufacturers, service providers, and American consumers. I would echo my colleague from Oregon, who chairs the Subcommittee on Trade on the Finance Committee; that is, these trade agreements position American businesses to capture more of that supply chain to enable us to create jobs here at home and to grow the economy, to generate economic activity out there that otherwise we would not see happening. At a time when we need to focus our efforts on measures that will promote economic growth and job creation, these agreements are exactly the type of legislation we ought to be considering.

There is broad consensus these agreements are going to benefit our economy. The Obama White House estimates that enactment of these three trade agreements will boost exports by at least \$12 billion, supporting over 70,000 American jobs.

The Business Roundtable estimates that passage of these trade agreements will support as many as 250,000 American jobs. These are not only jobs at large businesses but increasingly at smaller companies that are accessing international markets.

As an example of that, more than 35,000 small and mid-sized American

businesses export to Colombia, Panama, and South Korea, and these firms now account for more than one-third of U.S. exports to these countries. Passing these three trade agreements will provide export opportunities to American businesses of all sizes, creating good-paying jobs here at home.

The benefits to U.S. agriculture from passing these agreements are especially compelling. These three agreements are estimated to represent \$3 billion in new agricultural exports that will support 22,500 U.S. agricultural-related jobs.

My State of South Dakota is a good example if you look at the export potential for U.S. agriculture represented by these agreements. According to the American Farm Bureau Federation, these agreements will add \$52 million each year to South Dakota's farm economy. South Dakota is projected to gain \$22 million from increased beef exports, \$25 million from increased exports of wheat, soybeans, and corn, and \$5 million from increased pork shipments each year.

America's market is already largely open to imports from many of our trading partners. In fact, almost 99 percent of agricultural products from Colombia and Panama, for example, already enters the United States duty free. Without trade agreements to ensure similar treatment for our exporters, American businesses will continue to face high tariff and nontariff barriers abroad.

Consider just one example, the market for agricultural products in Korea, which is the world's 13th largest economy. Korea's tariffs on imported agricultural goods average 54 percent compared to an average of 9 percent tariff on their imports into the United States. So passage of the Korea Free Trade Agreement will level this playing field. Think about that. Fifty-four percent for our exporters to get into the Korean market, 9 percent tariff for their exports coming here. That is a huge discrepancy that will be rectified by passage of this agreement.

Korea's market for pork products in particular underscores how removing barriers to trade can benefit U.S. farmers and ranchers. U.S. pork exports to South Korea have increased 130 percent from January to July of this year because Korea temporarily lifted its 25 percent duty on pork imports due to an outbreak of foot-and-mouth disease in Korea.

During this period, the Korean market surpassed Canada to become the third largest export destination for U.S. pork producers after Japan and Mexico. Korea's tariff on pork imports is expected to return but would be permanently eliminated by 2016 under the terms of the United States and South Korea Free Trade Agreement.

We know when we eliminate barriers to U.S. exports, American producers will compete and win in the global marketplace. However, if we fail to act and continue to delay implementation of these agreements, the cost to our

economy will also be substantial. The U.S. Chamber of Commerce study warns that failure to enact the three pending free-trade agreements could threaten as many as 380,000 American jobs and the loss of \$40 billion in sales. The cost of inaction on trade is high because today we live in a global economy where American producers rely on access to foreign markets.

Consider that in 1960, exports accounted for only 3.6 percent of our entire GDP. Today exports account for 12.5 percent of our entire GDP. Exports of U.S. goods and services support over 10 million American jobs. When America stands still on trade, the rest of the world does not. Today there are more than 100 new free-trade agreements that are currently under negotiation around the world. Yet the United States is only party to one of those negotiations; that is, the Trans-Pacific Partnership.

If we do not aggressively pursue new market-opening agreements on behalf of American workers, we will see new export opportunities go to foreign businesses and foreign workers. Unfortunately, that is exactly what we have experienced under the current administration. The three trade agreements we are considering today were signed over 4 years ago, and this administration had more than 2½ years to submit them to Congress for consideration but failed to do so.

Instead, the President chose to sit on these agreements and not send them to Congress for nearly now 1,000 days. We cannot quantify precisely the cost of this unfortunate delay, but we know it put American exporters at a competitive disadvantage in the Colombian, Korean, and Panamanian markets. For example, on July 1 the European Union-Korea trade agreement went into effect. In just the first month after this agreement took effect, EU exports to Korea jumped nearly 37 percent, while U.S. exports to Korea rose by only 3 percent.

Let's be clear about what this means. Korean consumers are choosing to buy German, French, and British cars, electronics, and agricultural products rather than American-made products because those European products now have a price advantage. This would have been entirely preventable if we had acted on the U.S.-Korea trade agreement sooner. Likewise, the Canada-Colombia agreement went into effect on August 15 of this year. This is resulting in an advantage for Canadian goods such as construction equipment, aircraft, and a range of other industrial and agricultural products. Colombia is now reporting that since the Canada-Colombia trade agreement took effect, there has been an 18.3-percent increase in Colombian imports of Canadian wheat.

Much as with Korea, U.S. businesses are finding themselves disadvantaged because the President waited so long before sending these agreements to Congress. Unfortunately, the negative

impact of the Canada-Colombia agreement on U.S. exporters is just a continuation of the lost export opportunities we have seen over the past few years as these trade agreements have lingered.

Just a few years ago, American wheat producers dominated the market in Colombia with a 73-percent market share, as of 2008. Today we are facing a situation where U.S. wheat producers are likely to be completely shut out of the Colombian market if we do not act. Hopefully, by passing this agreement today and by swiftly implementing the U.S.-Colombia trade promotion agreement, our wheat producers will be able to recover much of their lost market share. But they should never have been placed in this position to begin with.

In 2010, for the first time in the history of U.S.-Colombia trade, the U.S. lost to Argentina its position as Colombia's No. 1 agricultural supplier. Now, consider the story of three of the major crops that we grow in South Dakota: soybeans, corn, and wheat. The combined market share in Colombia for these three U.S. agricultural exports has decreased from 78 percent in 2008 to 28 percent as of 2010, a staggering decline of 50 percentage points in our market share.

U.S. corn sales to Colombia fell from 3 million metric tons in 2007 to 700,000 metric tons in 2010. This is the high cost of delay while our trading partners pursue new regional and bilateral trade agreements. There has also been the cost of duties that have been paid on U.S. exports while these agreements are waiting. U.S. companies have paid more than \$5 billion in tariffs to Colombia and Panama since the trade agreements with these nations were signed more than 4 years ago.

Let's consider the cost of delay to just one American company, Caterpillar. We all know Caterpillar is a leading producer of large construction and mining equipment and a major U.S. exporter. Caterpillar exports 92 percent of its American-made large mining trucks. Caterpillar's large truck exports to Colombia face a 15-percent duty which adds about \$300,000 to the cost of each of these trucks exported to Colombia.

I mean, how does that work? Think about that. Every truck that Caterpillar sends into the Colombian market, it is an additional \$300,000 on top of the cost of that piece of equipment for the tariff that has to be paid. Just imagine the advantage that Caterpillar could have had for the last several years over its Japanese and Chinese competitors if the House of Representatives—at the time was controlled by the Democrats back in 2008—had not refused to consider the Colombia agreement when President Bush submitted it or if the current administration had acted sooner, and that is just one example of countless others out there with American businesses.

So I am glad we are here today. I expect all three trade agreements to pass

with what I hope is broad bipartisan support. I hope we also have learned an important lesson. We cannot afford to delay when it comes to international competition in trade. I hope the White House has learned an important lesson as well rather than submitting to Congress divisive measures where there are fundamental disagreements, such as new tax increases. This administration should identify measures such as these trade bills that will spur our economy and where there is broad bipartisan agreement.

The President sent his American Jobs Act to Congress exactly 1 month ago today. Yet we only, just last night, voted on whether we should consider this bill—a vote that did not get a single Republican vote, and it did not get every Democratic vote either. Contrast that approach with these free-trade agreements which were submitted to Congress by the President on October 3, just 9 days ago. Within about a week and a half, these trade agreements will have passed the relevant committees in the House and the Senate with large bipartisan votes and will be on the President's desk awaiting his signature.

Clearly, reaching across the aisle on measures where both parties can find agreement is a much more effective approach. So I would urge my colleagues to support these job-creating trade bills based upon their merit. I would also urge my colleagues to support these bills to send a message that when this administration is willing to send us commonsense, progrowth legislation, we are ready and willing to pass it.

We can only hope our votes on these trade agreements will set that precedent. I look forward to voting for these long overdue agreements on behalf of American businesses and consumers. I look forward, hopefully, to being able to act on what are truly progrowth job measures in the coming weeks and months.

We have an economy that continues to struggle with over 9 percent unemployment. Month after month we continue to see a lot of Americans who are without jobs, and this is one example of something we can do to address that concern. But there are lots of other things out there we can be doing as well if we are willing to identify those things on which there is agreement and those types of policies that actually do create jobs that are about getting Americans back to work and not about making some sort of a political statement.

I hope this will set a pattern and a trend that will be replicated in the future and that we can do some things that are good for our American economy and for American jobs.

Mr. ENZI. Madam President, I rise today to speak on final passage of the implementing language for the South Korea, Colombia and Panama free trade agreements. I support passing these three agreements. I supported them as they made the long and arduous journey from the negotiating table,

through the Senate Finance Committee and now to the Senate floor. As has been stated by my colleagues, these agreements are far overdue. Our government and industries have long shared with Congress the positive job impact these trade deals would have on the American economy. In the case of both Korea and Colombia, other nations have not hesitated to adopt similar agreements and I just hope that inaction by the White House has not resulted in U.S. manufacturers and agricultural producers losing market share that can be difficult, if not impossible, to regain.

I can say that Wyoming will benefit directly from these agreements. Disodium carbonate, also known as soda ash, is Wyoming's largest export to South Korea. This agreement would immediately remove, upon ratification, the 4 percent tariff on U.S. soda ash exports to that country. This will not only increase U.S. exports of soda ash to Korea by millions of dollars annually but will also increase job opportunities in and around Green River, WY where natural soda ash is found.

Wyoming's agricultural producers also stand to gain with the passage of these agreements. In the case of Korea, we know that a strong market for beef will be opened which will help Wyoming ranchers increase the value of their cattle heading to the sale barn. The standards in the Korea agreement will also set the stage for future negotiations in gaining market share for U.S. beef in other Asian markets. Consumer tastes are changing all over the world and our trading partners in Asia offer the largest potential market for American produced meat products. Colombia will do the same for Wyoming's wheat growers by reducing trade barriers and helping that country meet its growing demand for grain products.

I stand today in support of these important free trade agreements with South Korea, Colombia, and Panama. Not only are these nations our economic allies but strategic allies as well. These agreements solidify our relations with these countries and help promote U.S. job growth through our export markets. It is finally time Congress pass these agreements and fulfill the commitments we have made to our trading partners.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, I join with my good friend from South Dakota and the comments he made about the disadvantage we have created for ourselves in the last 3 years by not moving forward with these trade agreements long ago. But we are going to move forward today.

Jump-starting America's economy is going to require bipartisanship. If we are going to compete in a global economy, it means we are all going to have to work together to help create economic opportunities for Americans who are looking for work, help to create those private sector jobs that are the difference in a prosperous economy and an economy that is struggling.

Last night the motion to open debate on the President's so-called jobs bill was amended by his own party and was defeated then by a bipartisan vote in the Senate. That is not the kind of bipartisanship we need. We need bipartisanship moving forward not bipartisanship walking away.

The bill was defeated because it does not make economic sense—as the President said in August of 2009—to raise taxes on job creators. In fact, the administration, by its own accounting, said roughly 80 percent of the people who would be impacted by the surtax imposed by the bill that was set aside last night would be defined as businesses, the very businesses that need to create jobs in an economy where that should be the No. 1 priority.

The President's first \$800 billion stimulus plan failed to stimulate. It did not create the private sector jobs we needed and, simply, my view of the \$450 billion we were talking about yesterday was that it was more of the same. But today is not more of the same. Today is a bipartisan opportunity to move forward with a bipartisan bill to help jump-start our economy.

If there is low-hanging fruit in job creation, it is exporting products to markets that want to buy them. This is not about labor conditions in Colombia or whatever might happen in Korea or Panama. This is about products that American workers make and whether they can get into those markets.

I would also say that for well over a decade now Colombian products have come into our country without a tariff under something called the Andean Free Trade Agreement. Well, so this can't be about Colombian labor. It must be about American labor and what we can do for American workers. We can open markets for American products, and that is what we are going to do today, I hope, as we move to agree to these trade bills.

These trade agreements would mean an additional \$2.5 billion per year in agricultural exports. Every billion dollars' worth of agricultural exports means an estimated 8,000 new jobs in Missouri. In Missouri, the trade-related jobs grew more than three times faster than other employment from 2004 to 2008.

I recently asked Missourians on Facebook and Twitter to share some of their personal stories about how they thought these trade agreements would impact their lives. Glen Cope, a young full-time farmer from Aurora, MO, noted:

Agriculture is not drawing young people to stay on the farm. . . . because it is difficult to make land payments based on what little we get for the products we produce—Versus the inputs— and this has been the case now for generations.

Glen called on Congress to help farmers by creating "more demand for our products if we are going to get young people to stay and take over the farm."

Their parents and grandparents have produced food for our country and for much of the world for a long time. Glen

Cope's generation can continue to do the same.

Chris Chinn, who runs a family farm in Clarence, MO, in northeast Missouri, told me if these trade deals pass, her family "could receive almost \$11 more for every hog they sell." Now, she noted, while \$11 may not sound like a lot, it sure seemed like a lot when they were losing \$20 for every hog they sold from 2007 through 2010. That makes the difference in whether that family stays on the farm.

Chris urged Congress to pass these agreements because "this increased revenue will help us meet expenses and help us ensure our family farm will be there to pass on to my kids, who will be the sixth generation of farmers in our family."

Barbara Wilson noted that "agriculture fuels the economy in our small town of Mexico, Missouri." She told me that the passage of these free-trade agreements would lead to an "increased demand for our corn and our soybeans," and she stressed that "when the agricultural economy is good, the economy in our small town benefits." That means increased jobs in all sectors of that small-town economy.

Brian Hammons, president of Hammons Products Company in Stockton, MO, told me that "significant government-mandated trade barriers are hurting" his attempts to compete and develop markets for American black walnuts, which are harvested by hand in Missouri and other Midwestern States. Brian noted, if these trade deals passed, "our company can buy more black walnuts from thousands of people in Missouri and 11 other States, providing cash to those rural areas. And even more importantly, the increased production activity from processing those nuts would allow us to provide more employment for people in our rural Missouri community."

These are just a few of the farmers and job creators in Missouri who are calling on Congress to pass these free-trade agreements.

I look forward to voting for these agreements tonight. I hope a huge majority of my colleagues will join me in voting for the South Korea agreement, the Panama agreement, and the Colombia agreement. We will send a message to the world that we intend to compete in a world economy. If we are given the chance to compete, American workers can compete with anybody. These trade agreements provide an opportunity to do that.

Mr. WHITEHOUSE. Mr. President, I rise today to discuss the three pending trade agreements with Korea, Colombia, and Panama.

Let me say at the outset that I am in favor of free trade, if that term is allowed its true meaning. I have great confidence in the American worker and American businesses to compete and succeed in the global marketplace if given a free and level playing field. For generations, our country has shown

that hard work and ingenuity are the engines of progress and economic prosperity. The innovations that have shaped our 21st century economy were, in great measure, conceived and produced here in the United States. And in return for allowing other countries to benefit from our hard work and innovation, America was rewarded with a strong middle class.

Unfortunately, however, in a post-NAFTA world, being the best is no longer good enough. Instead, we have engaged in a race to the bottom, where to succeed you have to be the cheapest. And so, through our trade policy, we have too often put our workers at a real disadvantage.

Indeed, since 1994, when NAFTA went into effect, manufacturing sector employment across the country has fallen by over 5 million jobs, including over 42,000 in my State of Rhode Island. Contributing to these staggering losses are our trade agreements with Mexico, Central American and Caribbean countries, as well as the entry of China into the WTO.

That is why I cannot support the three trade agreements that are before the Senate today.

The Korea Free Trade Agreement is especially troubling for Rhode Island, particularly with respect to its treatment of textiles. According to the U.S. International Trade Commission's report, the textile industry is expected to lose jobs because of the favorable tariff reductions Korean manufacturers would receive under the agreement.

Rhode Island has a long history in textiles. In fact, the modern textile industry in this country can be traced back to Slater Mill in Pawtucket, RI, in 1793. Textiles were an important part of the State's economy throughout the Industrial Revolution and into the 20th century. But many of the business owners I have been talking to have told me how hard it has been for them, shrinking, laying off workers, and watching as factory after factory closed their doors around them.

I am working with what's left of the textile industry in Rhode Island—a small group of companies that are making really great products. Darlington Fabrics in Westerly, for example, makes performance athletic-wear, including products for our military. Coated Technical Solutions, based in Newport, works with coated fabrics for things like inflatable boats and tarpaulins. Northeast Knitting makes specialized medical fabrics, and Hope Global exports shoelaces.

I have heard from some textile companies that their sole competition comes from manufacturers in South Korea. These foreign competitors will disproportionately benefit from the tariff reductions in the Korea FTA. This is just another in a long line of examples of how our trade policy has failed American manufacturers.

With respect to the Colombia agreement, Colombia has a history of violence toward trade unionists, with 51

labor members murdered last year alone. Although the Obama administration negotiated a labor action plan with the Colombian government, there are no guarantees that its provisions will be enforced, and in fact, indications are that the violence has continued.

In short, I see no reason why we should put American jobs at risk to benefit a country that cannot provide its citizens the most basic rights that we offer to ours. The Colombia free trade agreement is a bad deal for Americans, and it may be a worse deal for Colombians.

Panama has its own labor abuses, but its status as a tax haven is perhaps most troubling. Approximately 400,000 multinational corporations are registered in Panama, many of which have license to conduct business without reporting or paying taxes. While the Obama administration stepped in and negotiated a tax information exchange agreement, this agreement lacks the transparency required to assure compliance.

The benefits of a trade agreement with Panama barely register by any economic measure. I believe it would be a mistake to encourage trade with a country that offers little to the United States but that so brazenly facilitates the breaking of our tax laws.

I will object to these agreements until we make a wholesale revision of our trade policy and put enforcement at the forefront. Representing a State that may have suffered the most from unfair Chinese competition, I can't support more of these agreements until I see serious and sincere enforcement. We should refrain from passing further free trade agreements until we can ensure that American workers and businesses are protected.

I yield the floor.

THE PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Vermont is recognized.

Mr. SANDERS. Mr. President, I always enjoy the Senator's remarks. However, I cannot quite agree with the thrust of his statement.

In my view, the current trade policies in this country are a disaster. The evidence is very clear that they have cost us many millions of jobs and to continue that same unfettered free-trade philosophy, in terms of trade agreements with Korea, Panama and Colombia, makes absolutely no sense at all. When we have a policy that is failing, we change it; we don't continue it.

Let us be very clear. I think most Americans understand that our economy today is in disastrous shape. Our middle class is disappearing. Recent statistics have told us poverty levels are at an alltime high, and the gap between the very rich and everybody else is growing wider.

In my view, one of the reasons—not the only reason—for the collapse of the middle class has to do with the loss of millions of good manufacturing jobs,

attributable to these disastrous trade policies. If we are serious as a nation in wanting to rebuild the middle class, lower our poverty rate, what we have to do is move forward in a new direction in trade, based on fair trade principles, and end this unfettered free trade, which has been such a disaster for American workers.

Over the last decade, we as a nation have lost 50,000 manufacturing plants in our country. I will repeat that because that is such a staggering number that it needs to be said over and over. Fifty thousand manufacturing plants in this country have shut down over the last 10 years alone. We have lost, during that same period, 5.5 million factory jobs. Many of those jobs were good-paying jobs. They were jobs that provided people with good wages and good benefits. Those jobs are gone and, in many cases, have been replaced by Walmart and McDonald's-type jobs, with low wages and minimal benefits.

To give us a sense about how significant the decline of manufacturing in this country is, the reality is, in 1970, 25 percent of all jobs in the United States were manufacturing jobs. Today, that number is just 9 percent. In July of 2000, there were 17.3 million manufacturing workers in this country. Today, there are only 11 million manufacturing workers. In my small State of Vermont—which is not as big as Ohio or Michigan and has never been one of the great manufacturing centers in the country, but even in a small State such as Vermont, what we have seen is a huge decline in good-paying manufacturing jobs, which have certainly impacted our middle class.

Mr. President, 10 years ago, we had approximately 45,000 manufacturing jobs in Vermont. Last year, we had 31,000 manufacturing jobs in Vermont. We have lost about one-third of our manufacturing jobs. I should tell everyone that 7,800 of those jobs were lost as a result of the trade agreement with China and another 1,300 were lost as a result of NAFTA.

The key issue is whether we continue our disastrous trade policy, which includes NAFTA, permanent normal trade relations with China, and CAFTA. Do we add on to trade policies that have failed? For the love of me, I cannot understand why anybody would want to do that.

The facts are very clear: Our current trade policies have failed, have been a disaster for working families. According to a recent study conducted by well-respected economists at the Economic Policy Institute, permanent normal trade relations with China led to the loss of 2.8 million American jobs—2.8 million American jobs. I remember because I was in the House when that debate took place. I heard the same thing then as I hear now—Members of Congress getting up and talking about all the new jobs that were going to be created. It wasn't true then and it is not true now.

How could we defend a trade policy based on the same principles as PNTR

with China when that policy cost us 2.8 million jobs in the last year alone?

Then we have NAFTA. Many of us remember the rhetoric around NAFTA. My goodness, we were going to open the entire Mexican economy for products made in the United States of America. We were going to be selling it in Mexico. Does anybody in America believe that policy has worked—that NAFTA has worked? The facts are very clear. Again, according to the EPI, they found that NAFTA has led to the loss of 680,000 jobs. So the simple reality is—and one doesn't have to be a Ph.D. in economics to figure this out—that if a company has the option of hiring somebody in a low-wage country at 50 cents or 70 cents an hour and they don't have to deal with unions or with environmental standards, why would they not go to those countries? The answer is they would go. The answer is they have gone.

That is what these trade policies are about—not selling American-produced products abroad but creating a situation where companies can shut down in America, move factories abroad, and bring those products back into this country tariff free.

We have quote after quote after quote from Members of Congress who got up on the floor during the NAFTA debate, during the China debate, and told us about all the jobs that would be created. I keep hearing that rhetoric, when, in fact, nothing said in the past has proven to be true.

Let me quote my good friends—and they are not good friends—from the U.S. Chamber of Commerce. They tell us this, and this is the discussion about Korea, Panama, and Colombia:

This is foremost a debate about jobs. At a time when millions of Americans are out of work, these agreements will create real business opportunities that can generate hundreds of thousands of new jobs.

But wait a second. Is this the same Chamber of Commerce that, on July 1, 2004, according to the Associated Press, said this—this is the headline: “Chamber of Commerce leader advocates offshoring of jobs.”

Here is what the article stated about the Chamber of Commerce, a strong advocate for these trade policies:

U.S. Chamber of Commerce President and CEO Thomas Donahue urged American companies to send jobs overseas as a way to boost American competitiveness. . . . Donahue said that exporting high-paid tech jobs to low-cost countries such as India, China and Russia saves companies money. . . .

Let's see, the Chamber of Commerce is leading the effort for these trade agreements, but they tell us the outsourcing of jobs is a good thing. Maybe we want to think twice before we accept the advice of the Chamber of Commerce.

The U.S. Department of Commerce has reported—and this is very interesting, not only as information unto itself but about the politics of this whole trade agreement. We have the Chamber of Commerce and we have

every major multinational corporation in the country telling us how good this unfettered free trade policy is. But now we have the U.S. Department of Commerce reporting that over the last decade, U.S. multinational corporations slashed 2.9 million American jobs.

Let's digest that. Large corporations and multinationals come in here and say the trade agreements are great and will create American jobs. At the same time, over the last decade, they have slashed 2.9 million American jobs.

Here is the other side of the story. The truth is, these same multinational corporations that are telling Members of Congress to vote for these trade agreements—the truth is, they are creating jobs. The only problem is, the jobs they are creating are not in the United States of America; they are in China and other low-wage countries.

Over this last same period, the last decade, while they laid off 2.9 million American workers, these same multinational corporations created 2.4 million new jobs abroad. So they laid off 2.9 million American workers and created 2.4 million jobs in China and other low-wage countries.

That, in a nutshell, is what these trade agreements are about—enabling corporations to shut down in America, move to low-wage countries, and bring their products back into our country. The results are very clear. We don't need a great study done by the Department of Commerce or the Economic Policy Institute; all we have to do is walk into any department store in America. When we buy a product, we know where that product is manufactured. It is not manufactured in Vermont, it is not manufactured in California, and it is often manufactured in China, Mexico or other developing countries.

That has been the whole goal of these trade agreements—shut down plants in America, move them abroad, hire low-wage workers there, and bring the products back into this country. The idea that we would be extending this concept to Korea, Panama, and Colombia makes no sense to me at all.

Since the year 2000, 2.8 million American jobs have been eliminated or displaced as a result of the increased trade deficit with China. After all the talk on the floor of the Senate and the floor of the House, at the editorial boards of major newspapers and by leading politicians about how the China Free Trade Agreement would create jobs in America, it is very interesting to hear what these corporations had to say a few years after the trade agreement was passed. In other words, before it is passed, they will tell us about how we are going to create all these jobs in America. The day after it is passed, their line changes. The China Free Trade Agreement was passed in the year 2000. A couple years later, Jeffrey Immelt, the CEO of General Electric, was quoted on this subject at an investor meeting, just one year after China was admitted to the World Trade

Organization. This is after the Chinese-American free-trade agreement. This is what Mr. Immelt said:

When I am talking to GE managers, I talk China, China, China, China, China.

That is him, not me—five Chinas.

You need to be there. You need to change the way people talk about it and how they get there. I am a nut on China. Outsourcing from China is going to grow to \$5 billion. We are building a tech center in China. Every discussion today has to center on China. The cost basis is extremely attractive. You can take an 18 cubic foot refrigerator, make it in China, land it in the United States, and land it for less than we can make an 18 cubic foot refrigerator today, ourselves.

This is the head of General Electric, who, by the way, I guess is President Obama's great adviser on creating jobs in America. So that was 2 years after the China agreement was signed.

And on and on it goes. It is not just Mr. Immelt, it is major corporation after major corporation. Before the agreement, it is jobs were doing great in America. After the agreement, it is all of the advantages of outsourcing.

Let me tell you how bad the situation is. By the way, I think most Americans know that not only is it a disaster for our economy that we are not producing the products we consume, but it is really an embarrassment. I will cite an example. Last year, during the holiday season, I walked into the Smithsonian's very beautiful American History Museum. It is a great museum, and I urge everybody who comes to Washington to visit. I walked into the gift shop of the Smithsonian museum, owned by the people of America, paid for by the people of America, and do you know what their gift shop had? Most of the products in the gift shop were not made in America. It turns out they were made in China or made in other low-wage countries around the world. I went to a section where they had little busts of Presidents of the United States—George Washington, Thomas Jefferson, Barack Obama—and when you turned them over, do you know where these busts of Presidents of the United States were made? Yes, you guessed it—in China.

We have since been having some discussions with the Smithsonian. They are in the process of changing their policies. And we are working with other people as well. But that is how bad the situation is, that busts of American Presidents, sold in a museum owned by the people of the United States of America, talking about the history and culture of America, are made in China. That is just one example of how pathetic this whole situation is. And on and on it goes.

By the way, when we talk about trade, we often focus on blue-collar jobs and manufacturing jobs, but it is also increasingly information technology jobs and white-collar jobs. Just think for a moment that during the past 4 years the cumulative trade deficit with China in advanced technology—not talking about sneakers but advanced technology products—totaled more than \$300 billion. Last year,

our trade deficit with China on advanced technology products was a staggering \$92 billion—in 1 year alone.

I just bought one of these very nice iPhones. It is very nice. Do you know where that product is made? It is made in China. And the iPad is made in China, and the iPod and the Blackberry and IBM computers and Dell computers and the Microsoft X-Box and big-screen TVs. None of these American inventions we pride ourselves on inventing, none of the technologies we pride ourselves on developing—and Steve Jobs recently passed away, a great businessperson—none of these are made here. Where are they made? More often than not, they are made in China.

Let me quote from a December 15, 2010, article in the Wall Street Journal:

One widely touted solution for current U.S. economic woes is for America to come up with more of the high-tech gadgets the rest of the world craves. Yet two academic researchers estimate that Apple's iPhone—one of the best selling U.S. technology products—actually added \$1.9 billion to the U.S. trade deficit with China last year.

So we develop these products, but we can't manufacture them here because these companies prefer the low wages in China. And on and on it goes—not just blue-collar jobs but white collar jobs as well.

Today, we are not talking about China and we are not talking about Mexico. We are talking about Korea and Panama, and we are talking about Colombia, but it is the same old story. The chamber of commerce is back again suggesting the creation of all of these jobs, until the day after the agreement is signed, and then they will be talking about how they can throw American workers out on the street.

It is interesting that poll after poll shows that, to say the least, the American people do not have an enormous amount of respect for the U.S. Congress and they see Congress as living in a very different world than working-class people are living in.

I don't know of any example where that schizophrenia is greater than in terms of trade. I don't know what it is like in Rhode Island, but I will tell you what it is like in Vermont when you ask people what they think about these trade agreements with China. When you ask constituents if they think they are creating jobs in America, they reply: What, are you nuts? Of course they are not. And the polls tell us that. In a September 2010 NBC News/Wall Street Journal poll, 69 percent of Americans said they believe "free trade between the United States and other countries cost the U.S. jobs." I think every group in America except the Congress seems to get that point. But then again, the Congress is surrounded by lobbyists and campaign contributors who come from big-money interests, and they like these unfettered free-trade agreements.

Let me say a word or two about Korea. The Economic Policy Institute has estimated that the Korea free-

trade agreement will lead to the loss of 159,000 American jobs and will increase the trade deficit by nearly \$14 billion over a 7-year period. Why would we want to go forward in a trade agreement that will cost us jobs?

President Obama has estimated that the Korea Free Trade Agreement will "support at least 70,000 American jobs." But the headline of a December 7, 2010, article in the New York Times says it all: "Few New Jobs Expected Soon From Free-Trade Agreement with South Korea." According to this article, the Korea Free Trade Agreement "is likely to result in little if any net job creation in the short run, according to the government's own analysis"—our government's own analysis. That analysis was done by the U.S. International Trade Commission, which projects our overall trade deficit will increase, not decrease, if the Korea Free Trade Agreement is implemented. This is our own International Trade Commission. So what are we doing? What are we doing?

Let me touch on one aspect of the Korea Free Trade Agreement that deserves a lot of focus, and I fear very much it is not getting it; that is, the Korea Free Trade Agreement will force American workers not just to compete against low-wage workers in South Korea but also to compete against the virtual slave labor conditions that exist in North Korea, a country which is certainly one of the most undemocratic countries in the world. To add insult to injury, not only are our workers going to be competing against slave labor in North Korea, some of the proceeds from this free-trade agreement are going to the dictatorship of Kim Jong Il, certainly one of the more vicious dictators in the entire world.

What that is about is that a number of companies in South Korea, including Hyundai and many others, own companies that are doing business in a large industrial area in North Korea. This agreement will allow products made in North Korea to go to South Korea and then come back into the United States.

I know there has been a little confusion on this, but there shouldn't be. Let me quote from a January 2011 report from the Congressional Research Service, and I hope everybody who plans on voting for this free-trade agreement with Korea hears this:

There is nothing to prevent South Korean firms from performing intermediate manufacturing operations in North Korea, and then performing final manufacturing processes in South Korea.

For example, as much as 65 percent of the value of a South Korean car coming into the United States could actually be made in North Korea if this trade agreement goes into effect.

Today, we have almost 47,000 North Korean workers currently employed by more than 120 South Korean firms, including Hyundai, at the Kaesong Industrial Complex in North Korea. What an agreement. What an agreement. Slave labor in North Korea manufacturing

products that go to South Korea and then come into the United States of America. Meanwhile, the dictatorship of North Korea gets a significant piece of the action on top of the pennies an hour the North Korean workers get.

In 2007, Han Duck-soo, who was then the Prime Minister of South Korea and is now the current South Korean Ambassador to the United States, said:

The planned ratification of the South Korea-U.S. Free Trade Agreement will pave the way for the export of products built in Kaesong [North Korea] to the U.S. market.

Isn't that wonderful. Isn't that wonderful. Bad enough for workers in our country to have to compete against people in China and in Vietnam—people making 20 cents, 30 cents, or 40 cents an hour—but now we are asked to compete against slave labor in Korea. And that is the treaty people will be voting for today.

Mr. President, I think a lot of folks have mentioned, in terms of Colombia, the assault on trade unionists there. Since 1986, some 2,800 trade unionists have been assassinated. Less than 6 percent of these murders have been prosecuted by the Colombian Government. Last year alone—last year alone, in a small country—more than 50 trade unionists were assassinated in Colombia. That is up 9 percent from 2009. I ask, if in Colombia 50 CEOs of companies were killed last year, were murdered last year, do you think people here would be voting for a free-trade agreement with Colombia or would they say: Why would we want an agreement with a country that is so unlawful, that is so brutal, where so many CEOs are being killed? But it is not CEOs, it is just trade union leaders, so I guess it is OK to have an agreement there.

I would also say that President Obama had a different view on Colombia when he was a candidate for President in 2008. In October of 2008, candidate Barack Obama said:

The history in Colombia right now is that labor leaders have been targeted for assassination on a fairly consistent basis and there have not been prosecutions.

Candidate Obama in 2008 was right in opposing this trade agreement. Unfortunately, as President, he is wrong to support it right now.

Let me say a word about the Panama Free Trade Agreement.

Panama is a very small country. Its entire annual economic output is only \$26.7 billion a year or about two-tenths of 1 percent of the American economy. So I think no one is going to legitimately stand here and say that trading with such a small country is going to significantly increase American jobs. Then why would we be considering a trade agreement with Panama? What is going on there? Well, it turns out Panama is a world leader when it comes to allowing wealthy Americans and large corporations to evade U.S. taxes by stashing their cash in offshore tax havens. And the Panama Free Trade Agreement would make this bad situation much worse.

I am a member of the Budget Committee, as is the Presiding Officer, and we have heard testimony time and time again that our country is losing up to \$100 billion every year as corporations stash their money in postal addresses in the Cayman Islands, in Bermuda, and in Panama. This trade agreement makes that situation even worse.

According to Citizens for Tax Justice:

A tax haven . . . has one of three characteristics: It has no income tax or a very low-rate income tax; it has bank secrecy laws; and it has a history of noncooperation with other countries on exchanging information about tax matters. Panama has all three of those. . . . They're probably the worst.

That is according to Citizens for Tax Justice.

The trade agreement with Panama would effectively bar the United States from cracking down on illegal and abusive offshore tax havens in Panama. In fact, combating tax haven abuse in Panama would be a violation of this free-trade agreement, exposing the United States to fines from international authorities.

At a time when we have a 14-trillion-plus national debt and at a time when we are frantically figuring out ways to try to lower our deficit, some of us believe it is a good idea to do away with all of these tax havens by which the wealthy and large corporations stash their money abroad and avoid paying U.S. taxes. The Panama trade agreement would make that goal even more difficult.

I want to say another word on an issue that I think is important as we look into the future. The proposed Korea Free Trade Agreement threatens both the 340B drug program, which requires drug companies to provide discounts on covered outpatient drugs purchased by federally funded health providers, such as community health centers and other safety net providers, and the ability of Medicare Part B to hold down the prices of outpatient drugs. The Korea Free Trade Agreement would potentially allow Korean drug manufacturers to challenge the pricing under these programs on the grounds that the prices are not market driven—in other words, forcing prices up in this country. That is something that was pushed, by the way, by our trade representative, not theirs. In essence, the pharmaceutical industry's lobbyists, with complete indifference to the plight of millions of the most frail and vulnerable Americans, have succeeded in inserting provisions into the Korea Trade Agreement that would allow Korean companies to maximize their profits by challenging the cost control measures under the 340B and Medicare Part B programs.

But, unfortunately, this is just the tip of the iceberg. Right now, the pharmaceutical lobby—and they are a very powerful lobby—and the U.S. Trade Representative are negotiating a new trade agreement, the so-called Trans-

Pacific Partnership, that I fear very much will make a bad situation in terms of drug access for the developing world, for poor people all over the world, much worse than it already is. Their aim, yet again, is to maximize drug company profits at the expense of the most vulnerable populations by tying the hands of health authorities here and in other developed and developing countries abroad who seek to provide access to low-cost generic pharmaceutical drugs for their citizens.

In negotiating the Trans-Pacific Partnership, our government is actively pushing intellectual profit laws for medicines that are more restrictive than we impose even here in the United States, with the effect of making it far more difficult to get generic drugs on the market in those countries. One of them, Vietnam, is a good example. Vietnam obviously is a very poor country. Vietnam has received more than \$320 million from the President's Emergency Plan for AIDS Relief, PEPFAR, created under President George W. Bush and continued under President Obama since 2004. The function of this program is to make sure the poorest people in the world who have diseases such as AIDS are able to get the drugs they need at a price they can afford to pay, and that means making generic treatments available.

The PEPFAR program has actually had significant success. As somebody who is not a great fan of President George W. Bush, this is an area where he actually did something quite positive, and that program is credited with saving millions of lives in 15 developing nations over the last 7 years. In the face of one of the most severe humanitarian crises in modern history, the United States put billions of dollars into doing something about it, and we are doing that today.

So why, in the face of this success by one arm of our government, would another arm work to pull the rug out from underneath it? Yet that is what the U.S. Trade Representative's Office is doing now.

In other words, on the one hand what we are trying to do is the right thing, the humanitarian thing, to make sure that poor and sick people around the world are able to get the medicines they desperately need to stay alive at a price they can afford to pay; and, on the other hand, another part of the U.S. Government is saying, wait a second. We have got to protect the interests of the drug companies and make sure they can make as much money as possible so they can charge and force poor countries to pay outrageously high prices for drugs even if that means many people die because they can't afford those drugs. So this is a contradiction. This is what our new trade policies are about.

I will be back on the floor at some point in the not too distant future to be talking about this very important issue, but let me conclude by saying

this country is in the midst of the worst economic crisis since the 1930s; the middle class is disappearing; poverty is increasing; millions of Americans have seen a decline in their standard of living; the gap between the very rich and everybody else is growing wider. That is the reality of the American economy today.

One of the reasons for the collapse of the middle class is the loss of millions and millions of good-paying manufacturing jobs, and one of the key reasons—not the only reason but one of the key reasons—we are losing millions of manufacturing jobs is disastrous trade policies designed to allow American corporations to shut down here, move to low-wage countries, hire people there for pennies an hour, and bring their products back. That is a policy I suppose you could say has worked if you are the CEO of a large corporation. You make a lot more money paying people 50 cents an hour than \$20 an hour. You make a lot more money working in a country where there are no environmental standards rather than in a country where you have to have some standards protecting air and water.

That is what our trade policy has been, and it seems to me to be enormously foolish for us to continue this failed policy of NAFTA, of CAFTA, of permanent normal trade relations with China, and extend them to Korea, Panama, and Colombia. I urge my colleagues to stand up to the big money interests which want us to pass these trade agreements, stand up for American workers, and say: No. Trade is a good thing, but it has to be based on principles that protect ordinary Americans, working people, not just the CEOs of large corporations.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise today in the wake of another very sobering jobs report. Unemployment remains stalled at 9.1 percent; 14 million Americans are out of work; another 9 million have been forced into part-time jobs because they simply cannot find full-time employment. These challenging economic times demand that Congress and the administration put aside partisanship and work together in earnest to address the prolonged jobs crisis.

Many of the decisions that will come before Congress in the next few months will be difficult ones, including those that must be made to restore fiscal order to our Nation's books. But there are bipartisan measures that we know will create and preserve jobs now. We must work together to advance them.

One such measure before us today is the free-trade agreement with South Korea. As President Obama stated last week, this agreement "will make it easier for American companies to sell their products in South Korea and provide a major boost to our exports."

South Korea is our country's seventh largest trading partner. The U.S. International Trade Commission estimates that implementation of this agreement would increase our gross domestic product by \$10 billion to \$12 billion, and annual merchandise exports by \$10 billion. The ITC further estimates that the agreement will reduce the U.S. trade deficit with Korea by between \$3 billion and \$4 billion.

An analysis of the Korean agreement conducted by the staff of the ITC at the request of the Senate Finance Committee concludes that the agreement could create up to 280,000 American jobs, including more than 650 jobs in my home State of Maine. Just this week there were announcements of 130 jobs lost at a paper mill in Maine and 65 jobs eliminated at a call center. So these new jobs, potentially 650 new jobs, would be welcome indeed.

South Korea is the fifth largest international market for Maine's products. Last year, the value of Maine exports to South Korea reached nearly \$100 million, including \$31 million in chemical products, \$29 million in wood pulp, \$15 million in civilian aircraft and engine parts, \$7 million in electrical machinery, and \$5 million in coated paper and paperboard.

Upon implementation of the U.S.-Korea Free Trade Agreement, more than 95 percent of Maine's exports to South Korea would be duty free. Let me repeat that. More than 95 percent of our exports from Maine to South Korea would be duty free. That means the elimination of these barriers to Maine's exports would expand markets for Maine's manufacturers and agricultural producers, and that translates into saving jobs and creating jobs.

Korea is the fourth largest and fastest growing market for American frozen potatoes, a major industry in my State. In 2009, the U.S. share of the Korean market was 81 percent, compared to 2 percent market share for the European Union. But with the implementation of the European Union-Korea Trade Agreement this past July, the European Union frozen potatoes now enter the Korean market duty free. That obviously gives European Union growers a significant competitive advantage over American exporters, who face an 18-percent tariff for shipping their products into Korea. The U.S.-Korea agreement would eliminate this tariff immediately, leveling the playing field for our producers.

According to the Maine Potato Board, which has endorsed this agreement, passage of this free-trade agreement is expected to translate into a \$35 million annual increase in U.S. frozen potatoes exports to Korea. More important, in the long term it will allow American potatoes to be the product of choice in the Korean market because, as the Presiding Officer well knows, Maine potatoes taste better than those grown by the European Union countries.

In all seriousness, we do need to eliminate these discrepancies in tariffs

that give our competitors an advantage over our American producers. Exports are essential to a strong industrial manufacturing base throughout our country and in the State of Maine.

I want to read an excerpt from a letter I recently received from the plant manager of the General Electric Energy Plant in Bangor, ME. The plant manager had this to say about the potential impact if this free-trade agreement were approved:

He wrote as follows:

GE's continuing ability to pursue expanding international opportunities for our aviation, energy and financial services exports is critical to our more than 700 workers in the State of Maine. In fact, 100 percent of the new steam turbine units coming out of our Bangor facility this year and next will be exported.

That just shows how critical that export market is to maintaining those 700 jobs in Maine.

The Bangor plant has, in addition, recently started producing components for gas turbines. To this end, we have invested roughly \$30 million in Bangor, to expand capacity. These gas turbines [under current law] face tariffs of 8 percent in Korea. . . .

If the U.S.-Korea Free Trade Agreement is passed, the GE plant manager in Bangor told me the tariff on the gas turbines produced at the Bangor plant would drop from 8 percent to 0, and that obviously would make those GE products and GE's employees in Maine all that much more competitive.

For Maine's wood pulp producers, Korea is already the second largest international market they have. Exports to Korea account for nearly 17 percent of the total production coming out of the pulp mill in Woodland, ME. In an e-mail to my office, Burt Martin, a director of the pulp mill in Washington County, had this to say about the importance of the Korean market to his business operation in Maine. He wrote:

Free trade with Asian countries means that we have an operating pulp facility in Woodland, ME. . . . Koreans are good paying customers—high revenue—and they are an important part of our markets.

Maine's blueberry growers also will benefit from the phaseout of tariffs on wild blueberry products. While I would have preferred to see the tariffs on blueberries eliminated immediately, the way they are on many other products I mentioned, the tariff reductions that would come about as a result of this agreement will help our blueberry growers compete in an increasingly important market.

An agreement will also unlock new market opportunities for Maine's iconic lobster industry. Live lobster exports to Korea currently face a 20-percent tariff. Under the agreement, this tariff would be phased out over 5 years, making it far easier for Maine to compete in the marketplace in Korea.

Fairchild Semiconductor in Portland, ME, is another strong supporter of this agreement. The manager of Fairchild cites the benefits of "tariff elimination, regulatory improvement,

stronger intellectual property protection and simplified trade clearance procedures, measures that help streamline customs procedures and help U.S. companies cut down on the costs of doing business" as advantages that would be brought about by this agreement.

The bottom line is, exports to Korea support Maine jobs. Passage of this agreement is critical to ensuring not only that we can expand export opportunities, but also that we do not lose market share in one of the world's largest economies because our foreign competitors are more aggressive in their pursuit of trade liberalization agreements.

On balance, I believe the U.S.-Korea Free Trade Agreement is good for America and good for the State of Maine, and I will vote for it. I am convinced the elimination of tariffs will create jobs and help us save jobs at this critical time in our economy.

I also plan to vote for the agreement with Panama, a country with which the United States had a \$5.7 billion trade surplus last year. But I cannot support the free-trade agreement with Colombia. This was a difficult decision for me to reach, and I have given it considerable study and thought. But, unfortunately, the violence against labor unions continues at an unacceptably high rate in that country.

I do appreciate and recognize that the Colombian Government has taken steps to improve in this area, but I think it is simply too soon to declare the Labor Action Plan a success. I think more time is needed to assess progress in this area, and I wish the President had brought forth the two agreements I can support—those with South Korea and Panama—and held back on the Colombian agreement until we have a better sense of the direction of the country and where we are going in making progress with the Labor Action Plan.

The benefits of free trade are not spread evenly over all sectors. With any trade agreement there is a potential that some U.S. workers and industries may be harmed. That is why I have looked at each agreement individually over the years. I have supported some, and I have opposed others. Frankly, the criteria I apply is whether the agreements benefit the people of my State and the workers of this country. It is also why I have been such a strong supporter of a robust trade adjustment assistance program, and I have also strongly supported tough enforcement of trade laws to protect U.S. workers against unfair trade practices. I have testified before the ITC in cases involving the paper industry where there has been illegal dumping. I have also been a cosponsor of the bill we just passed yesterday to crack down on currency manipulation by the Chinese Government.

But if the United States does not adopt policies to expand trade opportunities in a fair way, we will lose out on market opportunities, and that means

we will lose out on the creation of jobs. The jobs that would be created or sustained at home will, instead, be created and sustained in other countries that are aggressively pursuing trade agreements.

With nearly 95 percent of the world's customers living outside of our borders, we simply must seize opportunities to expand our exports, to look for new markets for our products. Our competitors in Europe, Canada, and other nations are actively working to tear down barriers to trade and promote their exports. We must do the same for our industries and for our workers.

Mr. CHAMBLISS. Mr. President, I rise today to speak about one of the greatest job-creation measures this body has considered in a long time.

The three long-awaited trade agreements with South Korea, Panama, and Colombia that the Senate will soon receive will create more real, long-term jobs than any stimulus approach advocated by the President.

While many of us are concerned about the role of government in job creation—an issue that will continue to be debated by this body—we can all agree that it is imperative to create a fair and efficient platform on which businesses can grow. The trade agreements before us will do just that.

Some economists believe that we are doing perpetual harm to our manufacturing, agricultural and export sectors by not passing these agreements. For instance, the U.S. Chamber of Commerce has previously calculated that delaying the passage of the Colombia Free Trade Agreement alone may have resulted in the direct loss of more than 20,000 jobs in the United States.

Our trading partners have looked elsewhere for goods and services to power their growing economies. When Canada and Colombia completed their trade agreement in August, within 15 days there was an 18-percent increase in wheat exports from Canada to Colombia.

The U.S. Trade Representative completed negotiations in 2006 with Colombia for the agreement we will soon have before us. Nearly 5 years of delays on this agreement alone have caused us irreparable damage.

While America was once the envy of the world for our trade agreements, we are now losing ground.

According to some estimates, the South Korean Free Trade Agreement has the potential to create 280,000 jobs in America alone. South Korea once called the United States its largest trading partner. We have since lost that distinction to China.

We are not simply creating jobs by passing these agreements, we are invigorating America's economy.

The Panama agreement will pack a significant economic punch for the United States. While it is a smaller country than South Korea or Colombia, the International Trade Commission estimates that U.S. grain and

meat exports to Panama will increase 60 percent.

In the past several years, my State of Georgia has experienced a 327-percent increase in exports to Panama. While these exports have increased despite the tariffs exporters are burdened with, a fair and free trade agreement will allow these firms to export duty-free, increasing the capital available to them and giving them more opportunity to grow.

This agreement will have major implications for Georgia's agricultural producers. In fact, all three of these trade agreements will give major benefits to Georgia's agriculture sector.

With the South Korea agreement, we will see gains in poultry, eggs, beef, cotton, and pecan exports as tariffs on these items are phased out. We will see the same benefits with the Columbia pact, and that agreement will also eliminate peanut tariffs over the next 15 years.

I am proud to say that agriculture is not the only sector where Georgia will see gains. I would like to highlight a couple of local companies that stand to benefit from these agreements.

Sasco is a third-generation family-owned business based in Albany, GA. Sasco produces and distributes worldwide more than 1,200 chemical products, but it faces a 5-percent tariff in Colombia.

For Sasco to remain competitive in South America, it must be able to export duty free. While the company's president, Mark Skalla, continues to seek partnerships and contracts in the region, the delays he has experienced are hindering Sasco's expansion.

Payne Hughes, CEO of Thrush Aircraft, a manufacturer of agricultural aircraft in Georgia, says he has already seen big gains in Panama and Colombia, where these markets continue to grow. As these countries' economies expand, American business will be able to take advantage of the increased needs for our quality products.

The U.S. Chamber of Commerce has calculated that for every \$1 billion in agriculture exports, some 8,000 U.S. jobs are created and supported. Every \$1 billion in manufacturing exports supports nearly 7,000 U.S. jobs.

The large-scale manufacturers in Georgia, including General Electric and IBM, will also see major benefits that translate to growth and job creation.

As we continue to look for areas where we can enhance American competitiveness, increase job creation, and boost economic development, free-trade agreements are a sure-fire way to make big gains. They are, quite simply, good for American business.

Mr. CORNYN. Mr. President, I support the approval of free trade agreements for one simple reason: they create jobs across America. And they especially create jobs in my home State of Texas.

Last year, Texas companies exported lots of products to South Korea, Co-

lombia, and Panama, including chemical and energy products, heavy machinery and electronics, cotton and grain crops, and many others. Unfortunately, all of these products faced trade barriers in these countries through foreign tariffs amounting to hundreds of millions of dollars. These free trade agreements will level the playing field in America's favor by eliminating foreign tariffs. Each of these trade agreements also strengthens a key strategic relationship for our country. And so I would like to say a word or two about each one.

The Korea Free Trade Agreement is of strategic importance because it reminds the world that America is a Pacific nation, and that America will continue to deepen our relationships with our allies and not abandon East Asia to China or anybody else. The Korea Free Trade Agreement is the most significant on the table in terms of U.S. exports. South Korea is the most prosperous nation to sign a free trade agreement with the United States since Canada and Mexico in the 1994 NAFTA. Currently, Korean tariffs on U.S. products can be as high as 13 percent. The White House estimates that the Korea Free Trade Agreement will generate up to \$11 billion in new U.S. exports and 70,000 U.S. jobs.

And a lot of that economic activity will be in Texas. Texas exported \$6.4 billion in products to South Korea last year—second only to California. Our State's leading category of exports to Korea is computers and electronics, which include integrated circuits, magnetic tape, and navigational equipment. Texans also export a variety of chemicals and machinery to Korea.

The Colombia Free Trade Agreement will solidify our relationship with a crucial ally in a volatile region of our own hemisphere. Colombia has been a leader in the fight against drug trafficking and narcoterrorism. Colombia has also resisted the regional ambitions of Venezuela's Hugo Chavez. The White House estimates that the Colombian Free Trade Agreement will generate \$1 billion in new U.S. exports and thousands of U.S. jobs.

In Texas, my state exported \$4.4 billion in products to Colombia last year more than any other state. Those products include petroleum products, coal, chemicals, electronics, and agricultural products. Texas ranchers will especially welcome this agreement as beef currently faces the single highest tariff in Colombia at 80 percent and this trade agreement will reduce that tariff to zero. Also cotton, wheat, and almost all fruits and vegetables will become duty free immediately.

The Panama Free Trade Agreement is important because Panama is conducting one of the largest public works projects in history: expanding the Panama Canal. This project will cost \$5.25 billion and provide many opportunities for construction firms and heavy equipment manufacturers in the U.S. Construction equipment and infrastructure

machinery used in such projects accounted for \$280 million in U.S. exports to Panama in 2010. The agreement will end tariffs on these exports, providing U.S. firms an almost immediate 5 percent price advantage on procurement contracts.

Texas exported \$1.8 billion in products to Panama last year—more than any other State. Texas top exports to Panama are petroleum, coal, chemicals, and computers and other electronics.

It is clear why Congress should approve these trade agreements. What is not clear is why it has taken us so long to act. The Colombia Free Trade Agreement was signed in November 2006. The Korea and Panama agreements were signed in June 2007. Why has it taken more than 4 years to act on them?

The answer is that the leadership of Congress changed in 2007, and that leadership has been listening too much to union bosses and other special interests. Every time we seem to be close to approving these agreements, these liberal special interests have come up with a new set of demands. On May 10, 2007, the Bush White House and Congress agreed on new and more stringent labor and environment provisions. This action was supposed to allow approval for four trade agreements; however, only a pact with Peru was approved at that time. The Obama administration could have submitted the three remaining trade agreements at any time since January 2009. But new conditions kept coming.

In November 2010, we learned of new conditions regarding taxation policy in Panama. In February 2011, we learned about new conditions placed on the Korea deal regarding auto emissions standards. In April 2011, we learned about new and strikingly detailed conditions bordering on micromanagement—on the Colombian judiciary and law enforcement agencies.

And in May 2011, we learned about new demands for a little-known program called trade adjustment assistance, including the demand to dramatically expand trade adjustment assistance to cover nations the U.S. has not signed agreements with.

The time is up for demands from Washington special interests. The time is now to make U.S. jobs and U.S. exports our priority. Let's send a message of friendship to the people of South Korea, Colombia, and Panama. And let's send a message to U.S. exporters that real jobs legislation is on its way.

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the free trade agreements with South Korea, Colombia, and Panama.

These agreements will eliminate tariffs and nontariff barriers to U.S. exports and protect intellectual property and investment with three key trading partners.

At a time when the national unemployment rate stands at almost 10 per-

cent—and tops 12 percent in my home State of California—I believe it is vital that we promote job growth by securing new opportunities for U.S. manufacturers, farmers and service providers in expanding foreign export markets.

These three agreements are a good place to start.

They are critical to the President's goal of doubling exports over 5 years, which could create 2 million new jobs. This is from a L.A. Times editorial of August 12, 2010.

It is simple: export growth as a result of these trade agreements will mean more jobs.

And we have no time to lose. Other trading partners have signed or are in the process of negotiating free trade agreements with South Korea, Colombia and Panama.

The European Union has already signed free trade agreements with South Korea, Colombia, and Panama. The EU-South Korea agreement came into effect in July.

Korea now has or is negotiating 13 free trade agreements involving 50 nations.

Canada concluded a trade agreement with Panama in 2010 and will gain preferential access to Colombia's market in August 2012.

Argentina and Brazil already have preferential access to the Colombian market.

We cannot afford to let our exporters lose market share to our competitors.

If we are left out, the U.S. Chamber of Commerce reports that we could lose up to 380,000 jobs and \$40 billion in exports.

The best estimate is that these agreements will, in fact, create jobs.

According to the U.S. International Trade Commission, these agreements will create at least 70,000 U.S. jobs.

U.S. exports to South Korea will increase by \$11 billion and raise U.S. GDP by \$12 billion.

The Colombia trade agreement will increase U.S. exports by more than \$1.1 billion and increase U.S. GDP by \$2.5 billion.

U.S. exports to Panama grew by 41 percent in 2010 to \$6.1 billion and will continue to rise with passage of the free trade agreement.

The Business Roundtable puts the number even higher at 250,000 jobs created with passage of the three agreements.

Let me speak to the effects these agreements would have on my home State of California.

As one of the 10 largest economic engines in the world with a \$1.9 trillion economy, California is a leader in U.S. and global markets with products ranging from agriculture to high-tech products and manufacturing.

In 2008, approximately 60,000 California companies exported products abroad, with manufactured good exports supporting 738,000 California jobs.

South Korea, Colombia and Panama already represent growing markets for

California exporters. In 2010, South Korea was California's fifth largest export market with exports totaling more than \$8.1 billion, up from \$5.9 billion in 2009. In 2010, Colombia was California's 34th largest export market with exports totaling \$408.7 million—a 24-percent increase over the previous year.

In 2010, Panama, with a growth rate of 7.5 percent, was California's 42nd largest export market with exports totaling \$252 million.

Passage of these agreements will provide important openings for California exports which will help create jobs.

According to Business Roundtable, more than 66 percent of California exports to Colombia will be duty-free after passage of this agreement, saving \$27.2 million for California businesses and farmers, and more than 80 percent of California exports to South Korea will be duty free following implementation of the agreement, saving exporters \$66 million.

In Panama, California high-quality beef, other meat and poultry products, soybeans, wines and most fresh fruit and tree nuts will become duty free upon enactment.

According to the California Chambers of Commerce Council for International Trade, California manufacturers will also gain significant access to the \$5.25 billion Panama Canal expansion project as the agreement eliminates the 5 percent duty on construction equipment and infrastructure machinery. The project will ultimately reduce transportation costs for California exports.

Make no mistake, South Korea, Colombia and Panama represent significant opportunities for all U.S. exporters.

South Korea is our 7th largest trading partner, our 8th biggest export market and the 15th largest economy in the world.

The agreement represents the largest free trade agreement since the North American Free Trade Agreement, NAFTA.

While Colombia and Panama have smaller economies, they are both emerging trading partners. In 2010, U.S. exports to Colombia grew by 34 percent to \$12 billion, while exports to Panama grew by 41 percent to \$6.1 billion.

Again, export growth will lead to job growth.

Some critics of these agreements argue that benefits gained by lowering tariffs and nontariff barriers to U.S. exports will be offset by benefits gained by our trading partners.

The fact is, our trading partners already have substantial access to the U.S. market while our exports continue to face significant barriers.

Currently, the average Korean applied tariff on U.S. non-agricultural products is 7 percent. In contrast, the average U.S. tariff on Korean non-agricultural imports is 3.7 percent.

The average Korean applied tariff on U.S. agricultural products is 52 percent. The average U.S. tariff on Korean agricultural products is 12 percent.

Approximately 90 percent of Colombian exports and 98 percent of Panamanian exports enter the United States duty free under existing trade preference programs.

In contrast, over 90 percent of U.S. exports to Colombia face tariffs averaging 12.5 percent, and less than 40 percent of U.S. exports to Panama enter duty free with industrial exports facing an average tariff of 7 percent and agricultural exports facing an average tariff of 15 percent.

So, these agreements will only serve to enhance U.S. competitiveness by leveling the playing field for our exporters and give them opportunities our trading partners already enjoy here in the United States.

And I know our manufacturers, farmers and service providers can compete and succeed against anyone.

Let me briefly discuss the key benefits of these agreements.

Upon enactment of the agreement with South Korea, approximately 95 percent of bilateral trade in industrial and consumer products will become duty-free within 5 years of the enactment of the agreement, including industrial and consumer electronic machinery, most chemicals, motorcycles and certain wood products. Most remaining tariffs will be eliminated within 10 years.

More than half of current U.S. agricultural exports to Korea will become duty free immediately, including wheat, feed corn, soybeans for crushing, hides and skins, cotton, almonds, pistachios, bourbon whiskey, wine, raisins, grape juice, orange juice, cherries, frozen French fries and pet food.

Approximately 80 percent of U.S. exports of consumer and industrial products to Colombia will be duty-free upon the enactment of the agreement. Most remaining tariffs will be removed after 10 years.

Both parties will grant certain farm products duty-free treatment immediately upon enactment of the agreement including high-quality beef, cotton, wheat, soybean meal, apples, pears, peaches, cherries and processed food products.

Colombia will phase out quotas and over-quota tariffs on standard beef, chicken leg quarters, dairy products, corn, sorghum, animal feeds, soybean oil and rice within the next three to 19 years.

Over 87 percent of U.S. exports of consumer and industrial products to Panama will become duty free upon enactment of the agreement, with the remaining tariffs phased out within 10 years.

Panama will provide immediate duty-free access for more than half of U.S. agricultural exports including high-quality beef, poultry products, soybeans, cotton, wheat, fruits and vegetables, corn oil and many processed foods.

I understand the concern some of my colleagues have about the effects free trade agreements may have on domestic jobs.

While I firmly believe that past free trade agreements have an overall posi-

tive impact on the economy and job growth, there is no doubt that some Americans have lost jobs due to increased trade.

That is why I remain a strong supporter of the Trade Adjustment Assistance, TAA, Program, which has helped these American workers transition to new opportunities in emerging job markets.

TAA has proven to be a wise investment by ensuring that workers who lose their jobs remain productive and tax-paying members of our society, free of government assistance.

I am pleased that we voted to renew this critical program before the vote on the three trade agreements.

Now, I would like to address specific concerns raised about the agreements with Colombia and Korea.

Critics have argued that, given Colombia's weak labor laws and violence against labor leaders and union organizers, it should not be rewarded with a free trade agreement.

First, under the terms of the free trade agreement, Colombia has agreed to: reaffirm its obligations as a member of the International Labor Organization, ILO, and adopt and maintain in its laws and practice core labor rights and ILO labor standards; refrain from waiving or otherwise weakening the laws that implement this obligation in a manner affecting trade or investment; effectively enforce labor laws related to the fundamental rights, plus acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health; and ensure that workers and employers will have fair, equitable and transparent access to labor tribunals or courts.

All labor obligations are subject to the agreement's dispute settlement procedures.

Colombia in April also agreed to an action plan related to labor rights to prevent violence against labor leaders, prosecute antilabor violence and protect internationally recognized worker rights.

Among other things, this plan requires Colombia to: create a specialized Labor Ministry to improve the enforcement of labor rights; criminalize actions or threats that could affect fundamental workers' rights including the right to organize; eliminate the backlog of requests from union members for protection; expand the scope of a protection program for union leaders to additional labor activists and union organizers; assign 95 police investigators to support the prosecution of crimes against union members; double the number of labor inspectors by hiring 480 inspectors over the next 4 years including 100 new inspectors in 2011; and seek the assistance of the International Labor Organization to implement and enforce these pledges.

Colombia has met the first two deadlines for implementation of the action plan and I look forward to the successful completion of the remaining commitments.

There was also great concern about the auto provisions in the original 2007 U.S.-Korea Free Trade Agreement.

Currently, South Korea maintains an 8-percent tariff on U.S. autos. The United States maintains a 2.5-percent tariff on Korean autos and a 25-percent tariff on Korean trucks.

Under the 2007 agreement, South Korea and the United States agreed to eliminate their respective duties on priority passenger vehicles immediately, to phase out their duties on other cars over 3 years and to phase out their duties on trucks over 10 years. In addition, South Korea agreed to eliminate the discriminatory aspects of its special consumption and annual vehicle taxes; not impose any new engine displacement taxes and to maintain non-discriminatory application of its existing taxes; and address several other non-tariff barriers to ensure that they do not impede the market access of U.S. autos.

The U.S. auto industry and labor unions argued that the United States should not expand Korean access to the U.S. market until U.S. manufacturers are able to significantly increase their market share in South Korea and South Korea makes more concrete assurances that it will dismantle non-tariff barriers.

President Obama responded to their concerns and secured additional concessions from Korea that will expand U.S. access to the Korean auto market.

Under the terms of the December, 2010 agreement the U.S. will keep its 2.5-percent tariff on Korean imports until the 5th year following enactment of the agreement while Korea will immediately cut its tariff on U.S. autos in half—from 8 percent to 4 percent—and fully eliminate the tariff in the fifth year; and the U.S. will keep its 25-percent tariff on trucks until the 8th year and eliminate it by year 10 while Korea will keep its original commitment to eliminate its 10 percent tariff on U.S. trucks immediately.

The agreement also contains new provisions to eliminate nontariff barriers to U.S. auto exports to Korea and increase protection against surges of Korean auto imports in the U.S.

I applaud the administration for listening to the concerns of U.S. automakers.

These additional provisions strengthen the overall agreement and will provide new benefits for U.S. autos in an expanding foreign market and create more jobs. Due to President Obama's efforts, the United Auto Workers union and U.S. automakers now support the Korea agreement.

In these difficult economic times, our constituents are sending us a clear message: they want Congress to focus on jobs.

In this effort, we should leave no stone unturned.

Expanding access for U.S. exports to the growing markets of Korea, Colombia and Panama will help create new jobs and increase economic growth.

I urge my colleagues to support these agreements.

Mr. WARNER. Mr. President, I support all three pending free trade agreements, FTAs. They will be good for our country and good for Virginia. They will create jobs by opening markets for high quality American products.

Trade with Korea was worth \$379 million to Virginia in 2010. Colombia was worth \$80 million and Panama was worth \$30 million. The Commonwealth stands to benefit from expanded opportunities for agriculture, chemicals, information technology, services, and other key sectors.

The success of FTAs for Virginia can be seen in the 13 other agreements entered into over the past decade. The 2004 U.S.-Singapore FTA enabled Singapore to become the fastest-growing market among the major buyers of Virginia's goods, rising from \$300 million to over \$1 billion last year, mainly in computers and electronics.

All told, Virginia did \$17.1 billion in exports last year, including \$14 billion in manufactured goods, \$1.2 billion in agriculture, and a host of other products.

Nonetheless, it is very important to me that we do more as a country to make sure the benefits of trade agreements and international commerce are more evenly distributed across this country.

In the past, some States have done really well under trade deals. Others have not. Most of Virginia has been lucky to be on the winning end of trade. But there are areas, like southside Virginia, that have not seen the same benefits from earlier trade deals.

That is why I am a strong advocate for onshoring initiatives and greater economic engagement between foreign-owned companies and rural America. I have joined my Virginia colleague, Representative FRANK WOLF, in sponsoring bipartisan legislation called America recruits, which would support new inbound investment into the United States.

The United States is one of the few countries without a national policy of supporting the recruitment of new companies. As a former Governor, I can tell you that this hamstringing the States when they compete head-to-head with foreign countries that can match or exceed support for individual State recruitment efforts.

Looking forward, I hope the President and the Administration will be ambitious in working to complete the nine-country Trans-Pacific Partnership, TPP, as soon as possible.

I commend our Trade Representative for the ongoing work on TPP. It is an innovative new type of trade deal, which aims for a high-standard, broad-based regional free trade agreement with Australia, Brunei Darussalam, Chile, Malaysia, New Zealand, Peru, Singapore, and Vietnam.

It is critically important that we not lose sight of the fact that many of our competitors, ranging from Canada and

the European Union to China, India, and Brazil are signing market access agreements and trade deals as quickly as possible. They understand the value of securing favorable terms for their goods and services in an increasingly globalized world. We cannot sit back and do nothing when 95 percent of the world's consumers live outside the United States.

Therefore, while new trade agreements and efforts to remove market barriers are crucial, I conclude by urging Congress to reauthorize Trade Promotion Authority, TPA, which expired 4 years ago.

TPA is often just referred to as "fast track" authority to pass trade agreements. But it is much more than that. TPA sets the direction of U.S. trade policy and guides the work of our trade negotiators.

We need to have clear national objectives for trade and economic engagement. We need a greater focus on development and maintenance of global supply chains. We need strategies to address intellectual property issues and emerging concerns about the effects of state-owned enterprises as we focus on expanding market opportunities for U.S. goods and services.

Trade is a key aspect of U.S. competitiveness. It is difficult to get completely right, but it is important to acknowledge our progress. The U.S. House of Representatives has just passed the three free trade agreements this evening. I hope the Senate will do the same in the next few hours so that we can continue to work together in support of an international economic agenda that benefits the United States to the greatest extent possible.

Ms. AYOTTE. Mr. President, I rise today to welcome the imminent arrival of free trade agreements that are long-overdue in this Chamber. Our Nation grew to be the leader of the free world through trade and commerce, and we must not lose sight of the fact that safeguarding our access to world markets is essential to maintaining our economic preeminence.

These free trade agreements with South Korea, Colombia, and Panama which I look forward to supporting this evening, represent real measures that will produce jobs and provide better opportunities for our manufacturers to sell their goods abroad. Given our faltering economy and the continuing high rate of unemployment, it is significant that today we can vote to implement policy that will put Americans to work and let our businesses compete on a level playing field with foreign competitors. Gaining access to hundreds of millions of consumers across the globe will have a monumental effect on our local economies.

For years, most goods from Colombia and Panama have entered the U.S. duty-free, and it is about time that the President submitted these agreements to Congress so that American businesses can enjoy equal treatment. Despite having successfully negotiated

treaties on his desk, the President stood by as other countries signed free trade pacts with these nations, forcing American exporters to watch as international competitors benefited. As the global economy continues to evolve, the submission of these agreements for congressional consideration is an important step to spur further trade and contribute to the growth of our economy at a time when it is so badly needed.

During these challenging economic times, American businesses should not have to face trade barriers, such as high tariffs, which put them at a competitive disadvantage. Since 1997, New Hampshire's exports to Colombia have increased by nearly 1,300 percent, nearly 200 percent to Panama, and by 324 percent to South Korea. However, U.S. exporters pay billions of dollars a year through tariffs on industrial goods. After these free trade agreements go into effect, 95 percent of those tariffs will be eliminated, meaning that American businesses will benefit by expanding payroll and consumers will benefit by lowered costs for goods and services.

With the highest growth rate in the Northeast and the fourth highest growth rate in the country, New Hampshire in particular stands to benefit from these agreements. New Hampshire exported \$4.4 billion worth of merchandise in 2010, a major component of our State's approximately \$60 billion total GDP. We have 15,000 New Hampshire jobs supported by exports, which represents a quarter of our manufacturing sector. The improved access to foreign markets brought about by these agreements will allow our industries to continue to grow and contribute to the economic environment that has made New Hampshire an attractive place for entrepreneurs to come to build their businesses.

We need these free trade agreements because we need to commit to economic policies that will create jobs and grow our economy.

Ms. KLOBUCHAR. Mr. President, I rise today to discuss the three pending agreements that the Senate will be considering later today.

But before I address these agreements, I first want to express my strong support for the reauthorization of the Trade Adjustment Assistance Program.

Three weeks ago I joined a bipartisan group of colleagues in passing an expansion of the Trade Adjustment Assistance Program to support workers in Minnesota and across this Nation who have lost their jobs or seen their hours reduced as a result of global exchange.

I made clear then that I believed it was essential that we act on trade adjustment assistance before turning to the pending agreements and—with the House passing this legislation today—that is exactly what we have done.

As chair of the Senate subcommittee on export promotion, I have long been

a proponent of increasing U.S. exports and helping U.S. producers reach new markets overseas.

Ninety-five percent of the world's customers live outside our borders. So it is without exaggeration that I say our future prosperity hinges on our ability to reach those customers.

As we continue to work to move our country out of this current economic downturn, we must take every available step we can to increase the competitive edge of American producers, farmers, and workers in the global economy.

I will therefore be voting for both the South Korea and Panama agreements. While these agreements are not perfect, after hearing from Minnesota farmers and businesses, I believe they can help open new overseas markets for Minnesota producers and increase U.S. exports.

The South Korea agreement is projected to increase U.S. exports to South Korea by an estimated \$10 billion and increase U.S. GDP by \$11 billion.

The agreement will have key benefits for my home State of Minnesota. Of Minnesota's top 10 exports to South Korea—such as machinery and electronics, medical equipment, and animal feed and meats—9 are expected to gain under the agreement.

Many of those gains are expected to be in our State's agriculture industry, where South Korea is the fifth largest trading partner for Minnesota farmers. This agreement will reduce tariffs on dairy, corn, soybeans, pork, and other food products, allowing our Minnesota producers increased access to Korean markets.

The Korea agreement will also eliminate tariffs on processed food, helping to increase exports and promote job growth for Minnesota's processed food producers like General Mills, Schwan's, and Hormel.

The Korea agreement will also benefit the workers in our state's strong medical device industry. South Korea is currently the fifth largest market for U.S. medical equipment exports.

Under the pending agreement, South Korea will immediately eliminate tariffs on 43 percent of medical equipment exports and eliminate tariffs on 90 percent of the remaining medical equipment products in 3 years.

Finally, I support the Korea agreement because it includes unprecedented provisions to defend intellectual property rights, promote transparency in Korea's trading and regulatory systems, and ensure full and equitable protection and security for American investors in Korea.

Unfortunately, too many foreign nations engage in illegal trade practices, and too often they get away with it.

I have long said that in order to ensure a level playing field for U.S. businesses and workers in an increasingly competitive global environment, we need enforceable standards in our agreements and we need to hold other

nations accountable to those standards.

Over the years, I have consistently fought to expose these illegal behaviors and worked hard to support several Minnesota industries such as our coated paper producers, steel producers, honey producers, and alternative energy producers. And just this week the Senate came together on a bipartisan basis to crack down on China's currency manipulation that is undermining our businesses and workers.

As we move forward, I will continue to do everything I can to ensure that the standards included in the Korea agreement—and all other agreements—are strongly and fairly enforced.

I would also like to briefly discuss the Panama Free Trade Agreement.

Like the Korea agreement, I believe the Panama agreement will promote U.S. exports and strengthen market access for Minnesotan and U.S. companies.

The United States already runs a trade surplus with Panama. Through the immediate elimination of tariffs on 88 percent of U.S. exports to Panama, and the elimination of remaining tariffs within 10 years, that surplus will only increase.

The Panama agreement presents new opportunities for Minnesota manufacturers and their workers and, like the Korea agreement, also promotes greater transparency and enforcement in Panama.

Finally I will oppose the Colombia agreement which does not do enough to address the country's endemic corruption and violence directed toward labor.

Increasing U.S. exports will bring many opportunities to our businesses and workers, and implementation of the Korea and Panama Free Trade Agreements, as well as the Trade Adjustment Assistant Program, will help our Nation stay competitive in the global economy.

Mrs. BOXER. Mr. President, I rise to discuss the trade agreements pending before the Senate.

I first want to note how pleased I am that a full extension of trade adjustment assistance will be sent to President Obama for his signature. This important program provides much-needed job training, health care, and income support to workers whose jobs are affected by trade.

As we seek to grow our economy and increase exports we must take steps to train American workers and provide them with continued job opportunities.

I am supporting the free trade agreement with South Korea because of its impact on California's economy. This agreement is not perfect, but on balance I believe it will benefit California.

South Korea is California's 5th largest trading partner. California companies export more than \$7 billion in goods there every year. This agreement will reduce tariffs and other trade barriers for California businesses that export goods to South Korea, resulting in

greater productivity in my State. In addition, the South Korean economy is advanced, with per capita GDP equal to \$30,000 year and a well-developed middle class, which will provide a substantial market for all types of U.S. exports.

The South Korea Free Trade Agreement also includes strong intellectual property rights that protect U.S. patents and trademarks and copyrights for films and other recorded works. These provisions are very important for California's entertainment sector. The agreement also reduces tariffs on U.S.-made machinery and high-tech products, increasing export potential for California industries.

The agreement also includes carefully negotiated rules for automobiles, to protect our auto industry from unfair treatment. I am pleased that the United Auto Workers were able to support the final version.

The free trade agreement opens the Korean market to the large number of agricultural products we produce in California. In February 2011, I wrote to the administration to urge better market access for two important California products: rice and fresh oranges. While I am disappointed that California rice is not part of the FTA, I was pleased that the Obama administration will continue working to expand market access for California rice and for California citrus. As the agreement is implemented I will continue to press for fair treatment for all California agricultural commodities.

I am also supporting this agreement because South Korea is a close friend and strategically-important ally for the United States in East Asia. Strengthening our trade relationship will bring economic and national security benefits to both nations, and will help to ensure that the U.S.-Korea relationship remains strong in the future.

The South Korea FTA is supported by the California Chamber of Commerce, the Silicon Valley Leadership Group, the Motion Picture Association of America, the California Association of Port Authorities, the California Manufacturing and Technology Association, the Pacific Merchant Shipping Association, the California Farm Bureau Federation, the Wine Institute, the Coachella Valley Economic Partnership, the California Table Grape Commission, the California Walnut Commission, the California Strawberry Commission, the California Fig Advisory Board, the California Dried Plum Board, and the Western Growers Association, among many other groups.

Mr. President, as chairman of the Foreign Relations subcommittee responsible for human rights, I cannot support a free trade agreement with Colombia. In short, Colombia's human rights record is appalling.

More than 2,800 union members have been murdered in Colombia in the last 25 years, including 51 last year, and many more so far in 2011. The conviction rate for union murders and other

violence is shockingly low, and the Colombian government continues to support policies that deny workers the right to join unions and bargain collectively.

I am pleased that under a labor rights action plan negotiated between the Obama administration and the Colombia government that steps are being taken to provide more protection for union members and to investigate crimes, but I have major concerns that these reforms do not go far enough to provide real changes for workers in Colombia.

This summer trade unionists from Colombia came to the United States to discuss the environment for working people in their country. Their stories are chilling.

A Colombian port worker described how he is one of the few union members at the ports because so many trade unionists have been fired for joining unions. He talked about how the unsafe working conditions have caused dozens of deaths at ports, how those who are injured on the job receive no compensation from their employer, and how older workers are routinely fired.

A math and science teacher discussed how teachers who participate in organizing efforts have their salaries withheld, and that the threat of violence against teachers with union ties forces many to flee their homes and their jobs to protect their families.

Human Rights Watch recently released a report that concluded that Colombia has made “virtually no progress” in securing convictions for killings that have occurred in the last 4 years. Until Colombia’s labor and human rights record shows significant long-term improvement, I cannot support a Free Trade Agreement, especially when U.S. producers stand to gain little from market access.

When the North American Free Trade Agreement, NAFTA, was approved, we were told that the U.S. would run a trade surplus with Mexico and gain hundreds of thousands of jobs. But instead, our trade deficit with Mexico increased to almost \$100 billion, displacing an estimated 682,900 U.S. jobs.

The economic situation in Mexico when NAFTA was passed is similar to the current climate in Colombia—a very low per capita GDP and a large percentage of the population living in poverty. A free trade agreement with Colombia under these conditions will result in the displacement of U.S. manufacturing jobs and few consumers for U.S. exports, just like what happened with Mexico after implementation of NAFTA.

I also oppose the free trade agreement with Panama.

For many years, Panama has failed to implement international tax standards. It has been a haven for those who seek to avoid their tax obligations. More than 400,000 multinational corporations register businesses in Panama, a nation with a population of 3.4

million people. That is one corporation for every seven persons. Although the recent Tax Information Exchange Agreements entered into by Panama are a step in the right direction, I will continue to have significant concerns about Panama’s tax policies until they have fully implemented an accountable system.

I hope that Panama will eventually develop a well-functioning tax system and cooperate with the international community, but I cannot support a Free Trade Agreement until a higher standard is reached.

Mr. REED. Mr. President, since World War II the United States has traded away American jobs in the name of foreign policy by entering into bilateral and multilateral trade agreements.

With a 9.1 percent national unemployment rate, 14 million Americans looking for work, and 10.6 percent unemployment in Rhode Island, there are no more jobs to give. As such, I cannot support these trade agreements with Korea, Colombia, and Panama that the Senate is considering today.

I am not convinced these trade deals will result in net job growth for the United States. The International Trade Commission’s analysis of the agreements finds negligible changes to aggregate employment and output. Analysis from The Economic Policy Institute estimates that the Korea FTA would lead to a loss of 159,000 jobs—much of this in the manufacturing sector. It must be stressed that, according to these analyses, any potential job gains associated with increases in American exports will be offset by job losses resulting from increased imports to the United States.

Moreover, as a recent economic study has shown, my State is one of the most susceptible to labor-intensive imports. And as the International Trade Commission’s sector analysis of these free trade agreements found, industries that are based in Rhode Island align with those foreign industries that will have the most access to U.S. markets. I am very concerned that Rhode Island businesses will feel the brunt of this import pressure while realizing little of the potential gains from exports.

It is likely that U.S. job losses associated with the Korea FTA will be disproportionately felt in Rhode Island, particularly in the textile sector. The nature of the agreement and the change in tariff schedules pick clear winners and losers. U.S. agriculture and passenger vehicles will be winners, while manufacturing industries central to my State like textiles will be losers. I have heard from Rhode Island businesses opposed to the Korea agreement for this very reason.

I, also, have serious reservations about the Colombian and Panama agreements. These agreements will have a relatively small impact on the U.S. economy, but present basic questions of accountability. Colombia has one of the highest rates of anti-union

violence in the world. Panama has its own duty free zone and there are concerns about whether there are enough resources being dedicated to deter illegal transshipment of goods, which could lead to other nations taking advantage of our trade agreement with Panama by skirting customs and violating “rules of origin” requirements. Additionally, despite Panama’s recent tax information exchange agreement, questions remain about the degree to which transparency and bank secrecy laws will continue to be obstacles to enforcing U.S. tax law.

Both Colombia and Panama have made efforts to correct these issues. However, the results of these efforts are not clear and more work remains to be done to ensure that accountability is built into the system.

I do want to stress that my opposition to these agreements is not meant to undercut the good work of our partners and allies in Korea, Colombia, and Panama. Korea is one of our most vital partners in Asia and a democracy that shares our values. Colombia is an important Latin American ally that has made enormous progress in strengthening the rule of law and combating extremist organizations and drug traffickers. And the United States has a singular relationship with Panama that has progressively strengthened over time.

However, at this time, I think we should stop and pause and think about our domestic needs and how to get our economy back on track. The United States needs to enter into trade agreements that will unequivocally benefit Americans workers—these trade deals do not. So, I will vote against the Korea, Colombia, and Panama trade agreements, and continue working to find a better way to promote bilateral trade that will lead to job growth here at home.

Mr. DURBIN. Mr. President, our country continues to struggle with the aftereffects of the housing bubble and the economic mistakes of the previous decade. There has been a great human cost to this economic slump—families forced out of their homes, shameful increases in child poverty, and a shrinking middle class.

President Obama has offered a number of steps to help heal our economy and put people back to work. One such plan includes a doubling of U.S. exports within five years. Exports are good for America and good for American jobs. They strengthen our manufacturing and agriculture sectors and in turn create good paying jobs. Quite simply, to help create more jobs here at home, we need to be able to access new markets and eliminate trade barriers for U.S. exporters.

At the same time, we must ensure that we engage not just in free trade, but fair trade—trade that upholds our values on labor, human rights, and environmental protections, fair treatment of U.S. products, and supports transparent markets.

That is why in my time in Congress I have always considered each potential trade agreement on a case by case basis.

This year, it was clear to me that we could not approve further free trade agreements if the trade adjustment assistance programs were not extended. We can't expand free trade without helping workers who may be displaced because of trade agreements. I strongly support and voted to extend the benefits under trade adjustment assistance. Since 2009, TAA has provided assistance to 447,235 workers—119,772 in Illinois—displaced due to trade agreements. It has provided training for workers as they transition to a new career, help with income, and health care tax credits to ease the transition.

Overall I believe in trade. I believe trade creates jobs. Illinois is the country's sixth largest exporter. Exports grew 19.6 percent from 2009 and totaled over \$50 billion in 2010 and supported 540,000 jobs. In 2008 alone, nearly 17,000 companies exported goods from Illinois locations. Iconic Illinois companies like Caterpillar, John Deere, and Boeing rely on trade to grow their business and support workers in Illinois and across the country. Other industries, including Illinois agriculture, have used trade to expand markets and feed more and more of the world. Motorola, ADM, Illinois Tool Works, Navistar, Abbott, Fortune brands and many others rely on trade to help grow business here at home.

I also believe trade keeps America engaged in the world. It gives us economic and diplomatic leverage around the world. Too often in recent years we have sat on the sidelines while countries with emerging markets sign bilateral trade agreements with our competitors in the EU and elsewhere—too often at America's loss.

Last year, U.S. exports supported 9.2 million good paying American jobs. Every \$1 billion in new exports supports 6,000 additional jobs here at home. The free trade agreements now being considered by Congress similarly offer the potential to open new markets for agricultural, consumer and industrial exporters.

The South Korea Free Trade Agreement alone is estimated to support 70,000 additional jobs by opening up Korea's \$560 billion market to U.S. companies. South Korea is Illinois' 16th largest export market. We exported \$788 million in goods and services in 2010. Illinois Pork Producers will gain improved access to a market that is constantly growing. With this trade agreement, 66 percent of tariffs on agricultural products will be eliminated immediately, allowing us to better compete with imports from Europe. Chemical manufacturers accounted for an average of \$97 million per year of Illinois' merchandise exports to Korea between 2008 and 2010. This deal will mean that 50 percent of U.S. chemicals exports by value will receive duty-free treatment, immediately creating op-

portunities for Illinois exporters. And many of those exports were moved through the Port of Chicago, which supports and strengthens our transportation infrastructure.

Profile Products is a company based in Buffalo Grove, IL, with offices and plants in five other States. This company makes products that help establish turf and accessories to control erosion on sports fields, golf courses, and landscaping. It has been exporting to South Korea for over 15 years. The company faces tariffs up to 14 percent. Passage of the South Korea FTA would eliminate tariffs on the company's exports to South Korea, allowing the company to grow and to hire more American employees.

The Panama Free Trade Agreement also provides opportunities for several Illinois companies and industries. As Panama continues with the \$5.25 billion expansion of the Panama Canal, Illinois companies like John Deere and Caterpillar will see almost all tariffs eliminated for equipment and infrastructure machinery with this trade deal. Ninety-two percent of large mining trucks shipped from Caterpillar's Decatur, IL, location are exported. Eighty-two percent of Large Track Type Tractors shipped from the East Peoria, IL, plant are exported. With the elimination of tariffs on exports into Panama, Caterpillar's American jobs are more secure.

Passing these two free trade agreements with growing free market democracies is an important step in meeting the President's goal of doubling exports in five years, creating more American jobs, and staying engaged in the global community.

On the third proposed agreement—the one with Colombia—I have wrestled with whether this is the time to support such a step. Colombia is a strong American ally in an often turbulent region. It will remain our strong friend and partner.

Last year, as chairman of the Senate Human Rights and the Law Subcommittee, I held a hearing that examined the human rights situation in Colombia.

Colombia has made progress on protecting human rights, activists and indigenous populations and providing reparations and returning land to those who have been displaced during the decade long civil war. Colombia has worked with the U.S. to develop and implement the "Action Plan Related to Labor Rights" in an attempt to address issues that have allowed more than 2800 union members to be murdered since 1986.

But the action plan is not included in this trade agreement and, given the history of violence and human rights abuses, I worry that its omission leaves us without an enforcement capability to ensure it is followed to completion.

While Colombia's steps to mitigate human rights abuses should be noted, the trend remains troubling. In 2010, 51 unionists were murdered and many

cases have not been brought to justice. Too often perpetrators of violence do so with impunity. So far this year, 22 unionists have been killed in Colombia—10 since the action plan on labor rights was agreed to. Too often workers who try to unionize are fired and blacklisted. Some continue to receive death threats.

There are other examples, including the baseless prosecutions of human rights defenders, and the "false positives" cases, where innocent civilians were executed by the military and passed off as rebel fighters killed in combat.

Simply put, these problems remain unacceptable. More needs to be done. The Colombian government needs to utilize every available resource to ensure that unionists, indigenous populations, and their allies are protected. Colombia also needs to ensure that victims are treated fairly, human rights violators are brought to justice, and that laws are enforced.

I support trade with Colombia and hope such an agreement is in our near future, but I cannot in good conscience ignore the fact that my vote for this Colombia Free Trade Agreement would indicate my approval that enough has been done to stem human rights abuses in Colombia. It hasn't.

Mr. President, seeing no one seeking recognition, I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

IRAN SANCTIONS

Mr. MENENDEZ. Mr. President, I know we will soon be voting on these trade agreements, but I have an issue that I think has immediacy in nature and needs to be brought up now. It is something I have been pursuing for some time.

We have heard FBI evidence of an alleged plot by Iran and its elite Quds Force to assassinate a foreign diplomat on U.S. soil—an extraordinary act of international terrorism that demands, at a minimum, immediate enactment of the most robust sanctions against Iran possible. Were it not for the vigilance of the American intelligence community, the FBI, and all our law enforcement and intelligence agencies working together, this plot could have not only taken the life of Saudi Arabia's Ambassador to the United States but potentially hundreds of innocent Americans here in Washington.

Think of the Machiavellianism of taking out the Saudi Ambassador at a downtown Washington restaurant and what that would mean in terms of lives lost and the inevitable response it would provoke from the Saudis and from the United States.

In the coming weeks, we will hear the exact details of this incredible plot

and the extent of the involvement of members of the Iranian Revolutionary Guard. We know the Revolutionary Guard in Iran is at the highest levels of the Iranian Government. That is why I specifically targeted the Revolutionary Guard in the Iran sanctions legislation that is now law. The new legislation I call on my colleagues to support and which now has 76 bipartisan cosponsors will consolidate our original sanctions law.

Iran's actions demand that we move this legislation in the Congress as we simultaneously go to the United Nations, to the international community, and bring to bear whatever pressure we can to convince the Chinese and the Russians to agree to tighter sanctions against Iran.

The fact is—clearly—we must do all we can to end Iran's exportation of terrorism, which has already taken lives around the globe from Lebanon to Argentina, is responsible for attacks on coalition forces in Iraq, our own soldiers in Iraq, and now threatens innocent Americans in our Nation's Capital. I, for one, am not shocked at the revelations we have heard in the last 24 hours. I have known what this regime is capable of, what it intends, and what it will do to achieve its goals. The time has come for this Congress to take the first step in responding to this egregious plot to conduct an assassination in a downtown Washington restaurant.

Since I took Federal office in 1993, then in the House of Representatives, I have raised, for some time, this issue of Iran and its ambitions. I have vociferously and passionately advocated my concern on behalf of the Jewish people in the State of Israel to protect them from the threat of a radical Iranian regime. Now that threat has been directed here, toward American soil, where even American citizens could have died in a plot that defies the imagination in its brashness, boldness, and irrationality.

What specifically do we do? Our first act must be to immediately respond with tougher sanctions that isolate Iran politically and economically—sanctions that will freeze the assets of the Iranian Revolutionary Guard Corps members and allies and shut down the IRGC's sources of revenue, expedite the imposition of sanctions, force companies to decide whether they want to do business with the United States or Iran, and ensure that the United States is an Iranian oil-free zone by banning imports of refined petroleum made with Iranian crude.

To that end, along with Senators LIEBERMAN, KYL, GILLIBRAND, CASEY, KIRK, and COLLINS, we have introduced in the Senate the Iran, North Korea, and Syria Sanctions Consolidation Act of 2011. It is a bill which recognizes that if Iran's principal goal is to acquire weapons of mass destruction and apparently conduct brazen attacks on American soil against international officials, then it must be the policy of the United States to prevent the Is-

lamic Republic of Iran from acquiring the capability to threaten its neighbors and to threaten nations around the world.

The time has come to take that first step and move this legislation.

This legislation closes the remaining loopholes in our sanctions policy. In essence, it is perfecting the sanctions policy we helped pass in the Senate. It insists on a comprehensive diplomatic initiative within the United Nations to qualitatively expand the U.N. Security Council sanctions regime against Iran so Iran cannot find a financial safe harbor or a willing partner anywhere in the world. It imposes immigration restrictions on senior officials from Iran, North Korea and Syria and their associates who seek to enter our country, and it complements those sanctions by reaching out to the Iranian people—facilitating democracy assistance and developing a comprehensive strategy to promote Internet freedom and access to information inside Iran. These sanctions will help deter the threat Iran poses to U.S. national security because of its suspected nuclear weapons program and will have an impact on Iran's ability, through the Revolutionary Guard and its intelligence arm, to carry out another plot such as the one we have uncovered.

What have we learned in the last 24 hours? We have learned that the Iranian regime is a growing threat not only to its neighbors, not only to the region, but to the world, and potentially to our own homeland. We have learned it is in the interest of the world to apply maximum pressure to the Iranian regime. We have learned we must tighten the screws on the Iranian regime to genuinely advance the cause of stability and peace in the Middle East and, clearly, around the world.

These sanctions are an essential means to that end. We need the ban on trade with Iran to be strong, significant and, as humanly possible, airtight—a ban that does not have Americans subsidizing the very regime that seeks to harm us by purchasing gasoline and diesel that are made of Iranian crude.

Iran's actions have made it a rogue nation that must be dealt with in the strongest terms. We cannot wait for another plot such as this to be uncovered. We cannot take the chance that the next one will not be uncovered. Passing the new sanctions I have proposed with, as I said, 76 of our colleagues here is a start, and we cannot, as a nation, falter. The time to act is now.

I applaud the White House for its quick action this week in imposing new sanctions against the people responsible for the planned attack on the Saudi Ambassador and other targets in Washington. I appreciate the administration's effort to implement and multilateralize sanctions on Iran. This administration has done more to isolate Iran than any prior administration, Republican or Democratic, in-

cluding their quick response this week designating individuals involved in the plot as well as today's sanction of Iran's Mahan Air.

The news this week, however, has confirmed our worst fears that Iran will not hesitate to advance its interests regardless of the political cost. Iran, given its history of exporting terrorism against coalition forces in Iraq, in places such as Argentina, in Lebanon—and its continued drive to advance its nuclear weapons program, despite being slowed by U.S. and international sanctions—clearly, with the alleged plot uncovered this week, remains undeterred.

It is time to take the next steps—to isolate Iran politically and financially. We must enact sanctions now, to exert the unyielding pressure of the U.S. Government against the Iranian regime, and bring to bear the condemnation of the international community so that the regime fully understands the world will not tolerate such actions if carried out.

These sanctions will prevent us from having to face that situation in the future. They are in our national security interest. They are in the interest of Iran's neighbors, in the interest of the region, and they are in the interest of the security of every nation that wishes to be secure in its borders, safe from the terrorist acts of a rogue state. That is what is at stake. That is why I look forward to a hearing we will be having tomorrow in the Banking Committee on the effect of the sanctions legislation we already have. I believe that hearing will deduce testimony that clearly shows that because of the sanctions legislation we already passed in the Congress, signed by the President that, in fact, we have made a significant dent in Iran's commercial activities. But it has not ceased or desisted from its march to nuclear weaponry. And, obviously, by this latest plot, it has not ceased or desisted from its willingness, even on U.S. soil, to carry out such an assassination. Therefore, the time to act is now.

With that, Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

(The remarks of Mr. MANCHIN are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I rise in support of the three free-trade agreements with Colombia, Panama, and South Korea that will be before us shortly here in the Senate. Few States need these agreements more than the State of Illinois.

This week, I released a report on the State of Illinois's debt. We now have the worst credit rating in America. Our State has fallen to 47th for a healthy business climate, with only half of the State's pension and health care promises actually funded.

Instead of continuing our State's debt spiral, these agreements will help the bottom line of Illinois exporting employers who hopefully will create thousands of new jobs without adding to the borrowing of our State or any new taxes.

Since 1997, Illinois exports to Colombia have increased by 164 percent, and exports to Panama have increased by 196 percent. Collectively, the three nations represented more than \$1 billion worth of Illinois export sales in 2010.

We will see the benefits of these agreements across a wide spectrum of jobs—from high-tech companies to manufacturers to farmers.

Illinois-based Caterpillar, in Peoria, which in 2010 exported \$13 billion worth of products to other countries, will see tariffs reduced by hundreds of thousands of dollars on goods through these free-trade agreements. The Panama Canal expansion project alone represents a \$300 million opportunity for Caterpillar. The trade deals are particularly important for Illinois-based Navistar, which has one of the best named truck brands in Colombia and Panama.

Illinois agriculture also reaps a windfall from the pending free-trade agreements. Trade deals are expected to create about \$2.5 billion in new agricultural exports and over 22,000 jobs nationwide. Expanding export markets for Illinois farmers and the increased demand for agricultural products and equipment manufactured in Illinois will allow employers such as ADM in Decatur, John Deere in Moline, and, as I mentioned, Caterpillar in Peoria to reinvest in their companies and to hire more citizens of our State. Illinois farmers and ranchers are expected to see about \$90 million in increased direct exports as a result of the Senate's approval of these trade deals.

These deals represent the direction the Senate should take overall on job creation—no tax increase, no borrowing, but opening new markets for American-made products.

I think next the Congress should build on this bipartisan job-creating vote and move to reduce regulatory burdens on small businesses and reform the Tax Code so U.S. businesses can better compete globally.

With that, Mr. President, I yield the floor.

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

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

Mr. HATCH. Mr. President, over the past several weeks, the Senate has focused closely on international trade. We have debated trade adjustment assistance, a bill to penalize China's currency policies, and our pending free-trade agreements. These have been robust debates. It is an appropriate capstone that we will soon be approving our trade agreements with Colombia, Panama, and South Korea.

The reality is, these agreements should have passed long ago. Although completed over 4 years ago, they were first blocked in the 111th Congress by a Democratic majority in the House of Representatives. They were then delayed by our own President, who devised excuse after excuse for not acting to implement them.

This spring, after the excuses related to the agreements themselves were addressed by our trading partners, the President made a new demand. This time it was trade adjustment assistance spending. The President made it clear that if this domestic spending program was not expanded and approved, he would abandon our allies in Colombia, Panama, and South Korea and cede these growing markets to our foreign competitors.

It took Congress months to untie this substantive and procedural Gordian knot that President Obama and his administration created.

Throughout this long period of delay, U.S. workers and exporters were denied the benefits of these agreements. At the same time, these allies began to doubt the commitment of the United States to our friendship, as well as our ability to deliver on our promises.

I am concerned that going forward the President will put even more new conditions on his support for trade and trade agreements. I certainly hope not. As a nation, we cannot afford to hold our international economic competitiveness hostage to unrelated demands for more spending or to a liberal social agenda. If our economy is going to grow and our workers prosper, then we need to do better.

Trade is good for the United States. Today, the United States is the world's largest economy. Contrary to the views of many Americans, the United States exports more in goods and services than any other country. It is imperative that the United States continues to open foreign markets. After all, 95 percent of the world's population lives outside of the United States. Economists estimate that almost 83 percent of growth over the next 5 years will take place outside of the United States. Simply put, most of our future customers are located in foreign countries.

U.S. exporters face foreign barriers that limit our ability to sell U.S. goods and services in foreign markets. Often, tariffs on our exports tend to be much higher than our own tariffs. U.S. trade agreements level the playing field. They reduce or eliminate tariffs and other barriers to U.S. exports.

The math is pretty simple. Lower tariffs and fewer barriers mean more exports, and more exports mean more jobs. But we cannot reduce these tariffs or eliminate barriers without the right tools. In my mind, renewing trade negotiating authority is the key to our future success. I was, frankly, dismayed when our colleagues across the aisle, just a few weeks ago, rejected an amendment to provide their own President with the authority to negotiate new trade agreements. We call that trade promotion authority. We all know the authority to negotiate trade agreements expired years ago. Since then the United States has been sitting on the sidelines while other nations negotiate agreements all around the world.

There is no doubt about it, even with the approval of these three free-trade agreements, the United States is already far behind. It is my understanding that there are 209 free-trade agreements around the world. The United States is a party to just 12 such agreements, with 17 countries. We should be expanding the number of our free-trade agreements and the number of our free-trade partner countries.

Everyone knows if you are not in the game, you cannot win. Right now, the United States is not in the game. While it is true the President is in the process of negotiating an agreement to create a Trans-Pacific Partnership, we all know the chances of it actually succeeding are almost nonexistent without trade negotiating authority.

Let's keep in mind that trade negotiating authority has been the norm rather than the exception for much of this past century. Congress first authorized reciprocal negotiating authority in 1934 to help pull the U.S. economy out of the Great Depression. That authority was renewed 11 times between 1934 and 1962. In 1974, the Congress first authorized the President to negotiate tariff and nontariff barriers and bring them back for congressional consideration on an expedited basis, without amendments. Every President since 1974 has sought that authority from Congress.

President Ford argued that the legislation "enables the United States to play a leading role in . . . multilateral negotiations."

President Carter said the legislation "solidifies America's position in the international community."

President Ronald Reagan extolled the virtues of TPA, noting that when properly used, it "manifestly serves our national economic interests."

President George H.W. Bush noted that extension of TPA was "in the vital national interest of the United States and absolutely fundamental to our major foreign policy objectives."

President Clinton argued strenuously for TPA, making the case that "the legislation will give us the authority to increase access to foreign markets . . . if we don't seize these opportunities, our competitors surely will. An 'America last' strategy is unacceptable."

President George W. Bush successfully made the case that TPA was critical to opening markets around the world. Once he achieved its renewal, he made opening foreign markets a key priority of his administration. To give credit where it is due, if it wasn't for President Bush's leadership in seeking TPA and negotiating agreements with Colombia, Panama, and South Korea, we would not have any agreements to consider today.

Unfortunately, President Obama, while touting the importance of exports, has been virtually silent on the need for TPA. Instead of leading on TPA, this President has consistently ducked the issue, avoided the debate, and let America continue to fall further behind.

This America-last—or, as some put it, leading-from-behind—strategy is unacceptable. We need a strong vision of leadership in the global economy. We can start by approving these three free-trade agreements. The fact is, tariffs on our exports to Colombia, Panama, and South Korea are much too high. These agreements will eliminate these tariffs. But the benefits of each agreement go far beyond tariff elimination. The agreements also guarantee fair access for U.S. service providers, reduce unfair barriers to our agricultural exports, provide high levels of protection for our intellectual property rights, and ensure high levels of investment protection. In short, each of these agreements helps U.S. workers compete and win in these growing markets.

Make no mistake, if we don't take advantage of these new markets, other countries will, and it is the U.S. worker who will lose. We cannot afford to allow nations to race ahead while our workers stay behind.

I urge my colleagues to join with Senator BAUCUS and me in supporting each one of these trade agreements. Their approval can be the first good step toward reigniting a vigorous international trade agenda that puts America first and enables the United States to once again lead the world in opening markets and expanding economic growth.

In that regard, I pay tribute to my colleague on the Finance Committee, Senator BAUCUS. He has done a great job in working on this issue. He has been a wonderful partner to me and a wonderful leader on our committee. When it comes to trade, he certainly deserves a lot of credit for helping to push this through. I am grateful to be able to work with a quality person like him.

I also would like to acknowledge a few of the many people who made these agreements happen. First, I would like to thank the talented members of the Bush administration who were instrumental in negotiating these agreements. Of course, first there is our colleague, Senator ROB PORTMAN, U.S. Trade Representative for President George W. Bush; Ambassador Susan C.

Schwab, U.S. Trade Representative; Warren Maruyama, General Counsel; Ambassador John Veroneau, Deputy U.S. Trade Representative; Rob Lehman and Tim Keeler, Chiefs of Staff to the U.S. Trade Representative; Karan Bhatia, Deputy U.S. Trade Representative; Justin McCarthy, Special Assistant to President Bush for Legislative Affairs; and Andy Olson, Assistant U.S. Trade Representative for Legislative Affairs. I would also like to recognize the hard work and commitment of USTR's professional staff, especially Wendy Cutler, Bennett Harman, Michelle Carrillo, Maria Pagan, and Leigh Bacon—without their efforts we would not have achieved conclusion of these historic agreements.

Next, I would like to thank my staff—they have been relentless in pressuring the administration to send these long-completed FTAs to Congress so we can pass them in order to create American jobs and grow the American economy. This is a huge success and I am happy to share it with them. In particular, I would like to thank the Staff Director of my Finance Committee staff, Chris Campbell; my Chief International Trade Counsel, Everett Eissenstat, both for serving as a chief negotiator for the Colombia and Panama agreements while at USTR and for his efforts in implementing the agreements here on Capitol Hill; International Trade Counsels Paul DeLaney, Greg Kalbaugh, David Johanson, Maureen McLaughlin, and Ryika Hooshangi; Staff Assistant Rebecca Nasca; and Legislative Counsel Polly Craighill. I would like to also thank prior Finance Committee trade staff including former Chief Counsel Stephen Schaefer, International Trade Counsel David Ross, and Claudia Poteet. The multi-year effort to pass these FTAs succeeded because of their hard work, expertise, and tenacious pursuit of the public interest.

Senator BAUCUS had a good staff helping him as well. I would like to thank them for their hard work and long nights that went into making this happen. I would like to thank Russ Sullivan, majority Staff Director of the Finance Committee; Chief Trade Counsel Amber Cottle; International Trade Counsels Ayesha Khanna, Michael Smart, and Gabriel Adler; and professional staff member Chelsea Thomas. Their work is to be commended.

We can all be proud of these accomplishments and I look forward to the President signing these agreements into law.

Mr. President, I am ready to vote. I yield the floor at this time.

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

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that all remaining time be yielded back, with the exception of 15 minutes, to be equally divided between Senator BAUCUS and the Republican leader, with Senator BAUCUS controlling the first 7½ minutes; that upon completion of their remarks, the Senate proceed to votes on passage of H.R. 3080, H.R. 3079, and H.R. 3078 as provided under the previous order; that there be 2 minutes, equally divided, in the usual form between the votes; and that all after the first vote be 10-minute votes.

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

Mr. BAUCUS. Mr. President, my remarks will be brief because we are at a point, finally, where we are passing these three trade agreements.

The Colombia, Panama, and South Korea Free Trade Agreements will increase U.S. exports by \$13 billion, boost gross domestic product by more than \$15 billion, and support or create tens of thousands of American jobs.

These agreements will provide an economic boost at a time when our country sorely needs it. But the value of these agreements goes well beyond dollars and cents. In recent years, critics of the United States have argued we have surrendered our leadership role on international trade. They claim our government, with its divided powers and narrow and changing partisan majorities, is incapable of forming a consensus for expanding trade, let alone a consensus on other political matters, including reducing our national debt.

Today, we have the opportunity to prove our critics wrong. These agreements were negotiated by a Republican President, improved by a Democratic President, and will be supported by strong bipartisan majorities in the House and in the Senate. They demonstrate the best of American values—open markets, transparent regulation, and respect for labor rights and the environment. They set the standard by which all trade agreements will be judged, and they put to rest any doubt the United States will engage its global partners to establish trade rules that are both free and fair.

By approving these agreements, we will also bind ourselves even more closely to three of our most important allies, and we will demonstrate to countries around the world that the United States is a good and dependable partner.

One decade ago, Colombia was on the brink of collapse. Armed conflict raged, drug traffickers flourished, violence against workers flared, and the economy stagnated. The United States pledged its support for Plan Colombia. With that plan, we provided more than \$7 billion to Colombia to fight drug trafficking, spur development, and protect human rights.

With our assistance, Colombia has achieved amazing progress. It is healing from the wounds of conflict. It has demobilized 50,000 former combatants, stemmed the flow of illegal drugs and the violence associated with it, and it is reducing labor violence and strengthening worker rights. If we approve our free-trade agreement with Colombia, we will help Colombia solidify and build on these gains, and we will reap for ourselves the benefits of our significant investments in this important country.

Panama has been a friend and ally since its early days as a nation. In the early 20th century, the United States built the Panama Canal, which remains the world's greatest commercial hub. We helped the Panamanian people restore democracy in 1989 after 20 years of military rule.

Today, Panama is among the fastest growing countries in the Western Hemisphere. It is both the crossroads of international trade and a global financial center. It is also a close partner in the fight against the illegal drug trade. With the Panama Free Trade Agreement, we will further strengthen our relationship for decades to come.

South Korea is a strategic ally in a region clearly vital to U.S. national interests. Despite living under the constant threat of a dangerous and erratic neighbor, South Korea has become the 15th largest economy in the world. Last year, it served as President of the G20 group of countries.

This trade agreement we have concluded with South Korea is our largest bilateral agreement in nearly two decades. It will ensure our commercial relationship is as strong as our 60-year security partnership.

These free-trade agreements will deliver significant economic benefits to the American people. Let us renew a bipartisan consensus on trade, reaffirm U.S. leadership in the global economy, and cement our ties with three important partners. Let us approve our free-trade agreements with Colombia, Panama, and South Korea.

I might add, before I yield to the Republican leader, that the order of the agreements is, first, on Panama, then South Korea, and then Colombia.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. Mr. President, we are on the verge of doing something very important for our country tonight, and we are going to do it on a bipartisan basis. I wish to congratulate the chairman of the Finance Committee, Senator BAUCUS, for the role he played and for the constructive efforts by Senator PORTMAN and Senator BLUNT to help us get to this evening. But I wish to single out for special praise our leader on this issue, Senator HATCH, the ranking member of our Finance Committee, who has been a stalwart on behalf of free trade over the years.

I think it is appropriate to take a moment before the vote to note the im-

portance of what we are doing. The first point to make about these agreements is that they will help American businesses create new jobs in the United States. The second point to make is there is strong bipartisan support for all three of these agreements. In other words, anyone who says that two parties can't agree on anything isn't telling the whole story.

Consider this: On the very day Democrats and Republicans were planning to come together to vote in favor of these trade agreements, Democrats spent the entire morning talking about what a shame it is that it never happens—that we never get together. Clearly, this vote is getting in the way of their political message, and that message is kind of absurd to watch.

Frankly, I think it would be a lot less confusing for anybody watching at home—not to mention a lot better for job creation—if our friends on the other side would agree to work with us more often on a bipartisan basis, as we have done on the bills before us. Our friends on the other side may think it helps them politically for Americans to think we don't cooperate, but what I am seeing is that the vote we are about to take shows that is simply not true.

We could get a lot more done up here if the President and our friends who control the Senate would move away from the left fringe and stop insisting on partisan bills that are designed to fail. If they agreed to that, then this Democratically led Senate would be a lot more productive.

Here is why these trade agreements are so important. First, they lower the barriers to selling American-made goods to consumers in other countries. On a variety of agricultural and manufactured goods, those tariff barriers are completely and totally eliminated, and increasing exports is crucial to growing the economy in States such as Kentucky, where nearly one-fifth of manufacturing workers depend on exports for their jobs.

It isn't just manufacturing that will benefit. America's service and technological sectors—where we are global leaders—will gain greater access to these foreign markets and strong assurances that the legal environment will not change to disadvantage U.S. firms. So passing these trade agreements will mean more U.S. exports and more U.S. jobs.

The total value of exports just from my own State of Kentucky currently totals more than \$19 billion. With these trade agreements, that number will only grow, increasing demand for Kentucky-made goods even more. What is more, the vast majority of Kentucky companies that export goods overseas—80 percent of them—are small- and medium-sized businesses.

So the question is, Do we want small businesses in Kentucky and other States finding new customers for their goods in these growing economies or do we want to cede those customers to other countries that are only too

happy to exploit the advantages they had before today?

These agreements are good news for American businesses looking to expand the market for their goods, and they are good news for all the American workers who benefit when those businesses are able to compete on a level playing field with workers in other countries.

While we have waited to pass these agreements, America's competitors overseas have increased their share of the markets in Panama, in Colombia and in South Korea and operated without the barriers American job creators have faced prior to tonight. Today, we are leveling the playing field, and when the playing field is level, we know American workers and American businesses and farmers will come out on top. They just needed us to clear the way.

Personally, I have never voted against a free-trade agreement, and I hope we will consider others in the near future.

Now that we have finally finished the business of the last administration's trade efforts, President Obama needs to think about what the trade agenda of his administration is going to be moving forward. Will he let America fall behind our competitors or will he embrace a proactive free-trade agenda that he knows will help create jobs here at home and project American influence around the world? For our part, Senate Republicans are ready to work with him on an even more robust trade agenda, one which involves reauthorizing a stronger TPA and which helps him help the economy in a bipartisan way, just as we are doing tonight.

This is a very important vote. It shows that the two parties can, in fact, work together to help American businesses create jobs, and I hope it leads to a lot more of the same.

Mr. President, I yield the floor.

The PRESIDING OFFICER. H.R. 3080, H.R. 3079, H.R. 3078, having been received from the House, are each considered to have been read three times.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on the passage of H.R. 3080.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS), is necessarily absent.

I further announce that, if present and voting, the Senator from Vermont (Mr. SANDERS) would vote "no."

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

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

The result was announced—yeas 83, nays 15, as follows:

[Rollcall Vote No. 161 Leg.]

YEAS—83

Akaka	Franken	Menendez
Alexander	Gillibrand	Mikulski
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Baucus	Hatch	Murray
Begich	Heller	Nelson (NE)
Bennet	Hoeven	Nelson (FL)
Bingaman	Hutchison	Paul
Blunt	Inhofe	Portman
Boozman	Inouye	Pryor
Boxer	Isakson	Risch
Brown (MA)	Johanns	Roberts
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Schumer
Carper	Kerry	Sessions
Chambliss	Kirk	Shaheen
Coats	Klobuchar	Shelby
Cochran	Kohl	Stabenow
Collins	Kyl	Thune
Conrad	Landrieu	Toomey
Coons	Lautenberg	Udall (CO)
Corker	Lee	Udall (NM)
Cornyn	Levin	Vitter
Crapo	Lieberman	Warner
DeMint	Lugar	Webb
Durbin	McCain	Wicker
Enzi	McCaskill	Wyden
Feinstein	McConnell	

NAYS—15

Blumenthal	Harkin	Reid
Brown (OH)	Leahy	Rockefeller
Cardin	Manchin	Snowe
Casey	Merkley	Tester
Hagan	Reed	Whitehouse

NOT VOTING—2

Coburn Sanders

The bill (H.R. 3080) was passed. The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on passage of H.R. 3079. The Senate will be in order.

Who yields time? The Senator from Montana. Mr. BAUCUS. Mr. President, what is the regular order?

The PRESIDING OFFICER. Two minutes of debate equally divided.

Mr. BAUCUS. I thank the Chair.

Mr. President, we are now voting on the Panama TPA to provide lucrative new opportunities for American farmers. It will level the playing field for American exporters and do a lot of stuff.

Let me say this. Basically, we accept virtually all Panama's products duty free—virtually. Panama has significant duties on products going into Panama. This is a free-trade agreement. It is a freebie. I urge Members to vote for it so now we can export more products to Panama. Vote for this agreement.

The PRESIDING OFFICER. Who yields time?

The Senator from Ohio. Mr. BROWN of Ohio. I rise to speak against this agreement. This, my friends, is the Panama trade agreement. There are 1,600 pages. If we want to get rid of tariffs and level the playing field, we would pass about three pages of tariff schedules and build in labor rights so that all of us would pass this by a voice vote.

This is 1,600 pages of rules to help insurance companies, to help drug companies, to undercut America's sovereignty. It is based on the same NAFTA trade model that doesn't work with investor-state relations. The same promises we hear in every trade agreement—the Clinton administration and the first Bush administration promised

200,000-plus jobs for NAFTA. We lost 600,000 jobs.

Vote no on Panama. It is more of the same. It doesn't work for America and small businesses, and it doesn't work for our workers.

I ask for a "no" vote. The PRESIDING OFFICER. Who yields time?

The Senator from Montana. Mr. BAUCUS. Mr. President, I appreciate the Senator from Ohio showing us the big, long stack. Those are all the tariffs Panama is going to get rid of and reduce so we can sell more products to Panama. I appreciate the Senator pointing that out to us.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. BAUCUS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll. The assistant legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

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

The result was announced—yeas 77, nays 22, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—77

Alexander	Graham	Menendez
Ayotte	Grassley	Moran
Barrasso	Hatch	Murkowski
Baucus	Heller	Murray
Bennet	Hoeven	Nelson (NE)
Bingaman	Hutchison	Nelson (FL)
Blunt	Inhofe	Paul
Boozman	Isakson	Portman
Brown (MA)	Johanns	Pryor
Burr	Johnson (SD)	Risch
Cantwell	Johnson (WI)	Roberts
Cardin	Kerry	Rubio
Carper	Kirk	Schumer
Chambliss	Klobuchar	Sessions
Coats	Kohl	Shaheen
Cochran	Kyl	Shelby
Collins	Landrieu	Snowe
Conrad	Lautenberg	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Lieberman	Vitter
DeMint	Lugar	Warner
Durbin	McCain	Webb
Enzi	McCaskill	Wicker
Feinstein	McConnell	Wyden

NAYS—22

Akaka	Hagan	Rockefeller
Begich	Harkin	Sanders
Blumenthal	Inouye	Stabenow
Boxer	Manchin	Tester
Brown (OH)	Merkley	Udall (NM)
Casey	Mikulski	Whitehouse
Franken	Reed	
Gillibrand	Reid	

NOT VOTING—1

Coburn

The bill (H.R. 3079) was passed. The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on passage of H.R. 3078.

Who yields time? The Senator from Montana. Mr. BAUCUS. Mr. President, we are now on the Colombia Free Trade Agreement. I am not going to take a

lot of time. I think most Senators know how they are going to vote.

Let me say I have visited Colombia. I am extremely impressed with the progress Colombia has made. Colombia was a failed state, a failed country about 10 years ago. With America's Plan Colombia and the assistance we have given, the narcotraffic is dramatically down, the labor killings are dramatically down. Clearly, we don't want one labor member killed or anyone killed in Colombia. But the fact is there is tremendous progress in Colombia. Colombia is so important to America's geopolitical future and to South America. If we cut and run, Colombia is going to run away from the United States. We will not be trusted. They will go to other countries, including Venezuela, China, and so forth.

I urge my colleagues who are on the fence—who are on the fence—to vote for this because that is a vote for the future. The glass is half full.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time? The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, this is the same story. This is Panama's agreement, but Colombia's is even longer—hundreds and hundreds of pages of rules.

I admire the Colombian people. They are our allies, but the Colombian Government not so much. Colombia remains the most dangerous place in the world to be a trade unionist. There were 23 trade unionists killed in 2011, and 51 were killed in 2010. What is happening to them is working. Over the past 20 years, unionization rates in Colombia have been cut in half.

When you threaten trade unionists, when you actually murder them, of course, unionization rates are going to go down. The Labor Action Plan commits the Colombian Government to get better, but what we are doing by a "yes" vote is rewarding promises, as we always do in trade agreements. But we are doing nothing to establish and enforce concrete results.

If you care about human rights, if you care about workers having the ability to freely organize and collectively bargain, you will vote no on the Colombian trade agreement.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll. The legislative clerk called the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

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

The result was announced—yeas 66, nays 33, as follows:

[Rollcall Vote No. 163 Leg.]

YEAS—66

Alexander	Graham	Moran
Ayotte	Grassley	Murkowski
Barrasso	Hatch	Murray
Baucus	Heller	Nelson (NE)
Bennet	Hoeven	Nelson (FL)
Bingaman	Hutchison	Paul
Blunt	Inhofe	Portman
Boozman	Inouye	Pryor
Brown (MA)	Isakson	Risch
Burr	Johanns	Roberts
Cantwell	Johnson (SD)	Rubio
Carper	Johnson (WI)	Sessions
Chambliss	Kerry	Shaheen
Coats	Kirk	Shelby
Cochran	Kyl	Thune
Conrad	Landrieu	Toomey
Corker	Leahy	Udall (CO)
Cornyn	Lee	Vitter
Crapo	Lieberman	Warner
DeMint	Lugar	Webb
Enzi	McCain	Wicker
Feinstein	McConnell	Wyden

NAYS—33

Akaka	Gillibrand	Mikulski
Begich	Hagan	Reed
Blumenthal	Harkin	Reid
Boxer	Klobuchar	Rockefeller
Brown (OH)	Kohl	Sanders
Cardin	Lautenberg	Schumer
Casey	Levin	Snowe
Collins	Manchin	Stabenow
Coons	McCaskill	Tester
Durbin	Menendez	Udall (NM)
Franken	Merkley	Whitehouse

NOT VOTING—1

Coburn

The bill (H.R. 3078) was passed.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I think this is a great day. It shows America is moving forward, is forward-leaning, forward-looking. I thank the countries with whom we have reached these agreements. They, too, have shown courage. I hope this is a good model we can pursue in the future.

In that vein, I would like to thank some people who worked extremely hard on this agreement. They are members of my staff, beginning with my chief trade person, Amber Cottle; Mike Smart, Hun Quach, Chelsea Thomas, Gabriel Adler, Rory Murphy, Danielle Fidler, Sarah Babcock, and Jane Beard.

I also very much thank the staff who works for my good friend and colleague, Senator HATCH, beginning especially with Everett Eissenstat. We have been a real team, and I believe very strongly that not much is accomplished in this body if you try to go it alone, if you try to do it by yourself. Rather, much is accomplished with teamwork and working together, and I thank very much my team, and very much I thank the team from Senator HATCH. It is nice to see Everett over there nodding his head. He knows teamwork really works.

Mr. President, I thank you, also, very much.

MORNING BUSINESS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

HONORING OUR ARMED FORCES

SERGEANT DANIEL DAVID GURR

Mr. HATCH. Mr. President, today I rise to pay tribute to Sgt Daniel David Gurr of the U.S. Marine Corps.

Sergeant Gurr was assigned to the 3rd Reconnaissance Battalion, 3rd Marine Division, II Marine Expeditionary Force. He was killed by small arms fire while on patrol in Helmand Province, Afghanistan. Sergeant Gurr was only 21 years of age, but as a testament to his character and reputation, hundreds attended his memorial service and hundreds more lined the procession route to where he was laid to rest.

Sergeant Gurr always wanted to be a marine. In fact, his friends and family from Vernal, UT, remember a young man who could hardly wait until his senior year at Uintah High School before enlisting in the Marine Corps. But even during his school years, his personality and character exemplified what it means to be a marine. Sergeant Gurr was the captain of his high school soccer team and was always there for his teammates. By all accounts, whether in high school or as a noncommissioned officer, he was a leader and loved by many.

Sergeant Gurr had a profound sense of duty and deep commitment to freedom and liberty. All he asked for was the opportunity to dedicate his life to the service and safety of others. His dedication and leadership were clearly apparent to the marines who advanced him to the rank of sergeant, a truly impressive accomplishment for a 21-year-old.

As we grieve the loss of one of this country's finest, let us celebrate Sergeant Gurr's life. His selfless and noble actions will never be forgotten.

I know I am joined by the entire Senate in extending heartfelt condolences to Sergeant Gurr's family. Elaine and I will certainly keep them in our prayers.

CORPORAL RAPHAEL R. ARRUDA

Mr. President, today I also wish to honor CPL Raphael R. Arruda of Ogden, UT.

Corporal Arruda was an Army reservist assigned to the 744th Engineer Company, 416th Theater Engineer Command. As a combat engineer tasked with finding improvised explosive devices, Corporal Arruda never shied away from driving the lead vehicle on operations. Out in front protecting his fellow soldiers was where he was when an explosion took his life. Adding to this tragedy, Corporal Arruda's mother had died 10 days before, and the corporal was but days away from his 22nd birthday.

Corporal Arruda was raised in Brazil until the age of 12. His family immigrated to the United States and settled in South Ogden, UT, where Corporal Arruda graduated from Bonneville

High School in 2008. While in high school, he joined the Army Reserves and left for basic training only days after graduating from high school. After basic training, he attended Weber State University for a semester and planned to continue his education upon his return.

Upon learning about Corporal Arruda's life, I was struck by what his family and friends had to say about him. Andrey, his brother and also an Army reservist, said Corporal Arruda was the "life of the party." His fellow soldiers said the corporal was "the guy who pushed everyone and made everyone laugh." It is a special leader who has the unique ability to motivate others while simultaneously making them feel at ease.

Corporal Arruda was a brave and selfless soldier. His family now bears a heavy burden. However, I hope they will take comfort in knowing that I am joined by the entire Senate in extending our condolences over the loss of Corporal Arruda and his mother. My wife Elaine and I will have them in our prayers.

REMEMBERING MIKE PUSKAR

Mr. MANCHIN. Mr. President, only a few people in your lifetime stand out as people of the highest caliber, people who truly care about making the world a better place not only for the present generation but also for the next generation and many generations to come.

My dear friend Mike Puskar was one of those rare people. My wife Gayle and I consider ourselves extremely lucky to have even known a man of his caliber, let alone be dear friends with him for many years.

Mike passed away on Friday after a long battle against cancer.

I first met Mike in the early 1980s before the start of a football game in the then-gravel parking lot at the WVU stadium, a place we both truly loved. The generator in his motor home was not working, and, luckily, the generator in my brother's RV that I was using did work. So Mike plugged into our RV that day, and we were plugged in thereafter.

Mike was a man whose friendship was unconditional. It was not about whether you lined up exactly with his beliefs. He supported you as a person.

Mike dedicated his life to helping others and to making a real lasting impact in West Virginia. He had a tremendous heart and a strong sense of giving. Mike truly epitomized the word "friend" at every level.

We can see Mike's handprint everywhere—at West Virginia University, at Mylan Park, and in charitable organizations throughout West Virginia that serve those in need.

Mike loved to build things—whether it was his company or the waterfront in Morgantown. He gave the largest gift in the history of West Virginia University because he truly believed in making our State, our schools, and our hospitals the best in the country. In fact, that gravel parking lot where we

first met at the WVU stadium is now the site of the Mylan Tailgate Tent. But the thing Mike was most proud of was when he helped people build their own lives—and those people who knew Mike know exactly what I am talking about.

Mike was a pioneer who started Mylan Pharmaceuticals to give people access to affordable quality medicine. Mylan is a homegrown West Virginia company that he started with his Army buddy Don Panoz in 1961. He led Mylan until 2002, and Mylan has continued to grow and has now become the third largest generic and specialty pharmaceutical manufacturer in the world.

There are so few people like Mike, whose legacy will echo for generations to come. On Thursday, his friends and family will gather to pay tribute to his legacy when he is laid to rest in Morgantown, WV—a town he loved and gave so much to improve.

Tomorrow and every day our thoughts and prayers will go out to the entire Puskar family, Mike's friends and colleagues, and everyone whose life he touched, as all of them mourn the loss of this great man.

While every one of us is truly going to miss Mike, he truly will never leave us. We all have beautiful memories of Mike that will last a lifetime, and his legacy to West Virginia and its people will remain in our hearts forever.

BURMA CHALLENGES

Mr. McCONNELL. Mr. President, I rise today, as I do on many occasions, to bring attention to the numerous challenges that face the people of Burma. Of great concern to those advocating for democracy in Burma is promoting reconciliation among the diverse groups in the country. Like many ethnic groups in the country, the Kachin people of northern Burma have a distinct and longstanding heritage. Yet, they continue to be targeted by the ruling junta. Not only is their struggle against the oppressive junta of concern to those of us focused on reforms in Burma, but they also have an important historical connection to the United States, a connection that I would like to highlight today.

On September 13, 1945, Japanese soldiers surrendered to Allied forces in Burma. As many in this Chamber are no doubt aware, many Americans bravely fought in the China-Burma-India theater during World War II. The late Senator Ted Stevens, for example, flew the treacherous “hump” over the Himalayas, and many other Americans helped build the important Ledo supply road, linking China, Burma and India. In the Allied effort in this theater, the Kachin people deserve particular mention for the commitment, sacrifice and invaluable support they provided Allied forces to reclaim that country.

The situation in this region was bleak for Allied forces in 1942. The Burmese terrain, a combination of dense rain forest and high altitude, proved a

formidable obstacle in itself. Of particular importance was building and maintaining the Allied supply lines into Kunming, China. This task was assigned to GEN Joseph Stilwell and was later described by George Marshall as “one of the most difficult assignments” given to any theater commander. As part of this endeavor, CPT Carl Eifler directed U.S. efforts against Japanese forces in Burma. Captain Eifler assembled an accomplished group of officers with a diverse set of skills, ranging from linguistics and medicine to piloting and explosives. Detachment 101 officially began on April 14, 1942, a mere 3 weeks before the Japanese Imperial Army would take Rangoon and, with it, effective control of the country.

As part of its mission, GEN Stilwell wanted Detachment 101 to learn to adapt to and thrive in Burma's thick rain forests. He would use his troops' familiarity with fighting in such terrain to harass the enemy with unconventional tactics, weakening its grip on strategic locations such as the Myitkyina Airbase in the Kachin State. The historian for U.S. Army Special Operations Command, Dr. C. H. Briscoe, credits part of Detachment 101's operational success to support from a group of Burmese in the “Kachin Rangers” unit and, in particular, their efforts in intelligence collection, as well as pilot rescue and sabotage missions. In the spring of 1945, due to its success, Detachment 101 expanded its Kachin forces to more than 10,000 troops.

The Kachin Rangers are credited with many effective and unconventional warfare tactics, some of which have subsequently been incorporated by the Army Special Forces Green Berets. In just a few years of combat, according to James R. Ward—a member of Detachment 101—the Kachin Rangers reportedly provided the U.S. 10th Air Force with 75 percent of its targets and the 164 Kachin radio teams in Burma provided some 85 percent of the intelligence received by General Stilwell's Northern Combat Area Command. In addition, these Kachin soldiers are credited with destroying an estimated 15,000 tons of Japanese supplies and killing or capturing more than 15,000 enemy troops. According to reports, the group also helped save the lives of as many as 425 downed Allied airmen during the war.

Ultimately, following the Japanese surrender of Burma, Detachment 101 was awarded the Presidential Distinguished Unit Citation by the Army Chief of Staff at the time, future President Dwight D. Eisenhower.

Efforts by the Kachin people helped secure an Allied victory in Burma 66 years ago. Currently, the Kachin—like other ethnic minorities in Burma—deserve our recognition as allies in another noble cause: to secure freedom and reconciliation in a democratic Burma. We honor their bravery and commitment to freedom six decades ago as well as today.

TRIBUTE TO CARL WEAVER

Mr. McCONNELL. Mr. President, I rise today to recognize the accomplishments and achievements of lifetime educator Carl Weaver. For almost 40 years, Carl devoted himself to teaching young Kentuckians history, civics, and psychology while also coaching little league baseball in the afternoons and the South Laurel High School boys' baseball team.

Carl began teaching as an undergraduate student while at the University of the Cumberland in 1963, at the age of 19. After graduation, Carl spent 6 years teaching in Ohio before returning to Laurel County, KY, where he earned his master's degree from Union College while simultaneously teaching full-time and raising his three children, Wayne, Karen (Davenport), and Whitney.

Carl witnessed many changes during his 33-year career teaching in Laurel County, but he cherishes most the time he spent teaching his own kids—Carl had each of his three children in at least one class in high school and also had the opportunity to teach Karen psychology her freshman year at Sue Bennett College. Carl never had a problem with any of his children in the classroom, recalling, “I was probably harder on them than on other students.”

For Carl, it was always about the kids. Carl has an amazing passion for teaching and he truly enjoyed and appreciated the students. “That's what it's really all about. You're teaching the student, not the subject,” Carl says. Carl still misses teaching, but he was forced to retire at the 27-year mark due to ongoing complications with his legs as a result of his diagnosis with polio as a child.

These obstacles don't hinder Carl's spirit however, as he continues to stay busy by helping out in his son's produce stand on East Ky. 80. Carl admits he's enjoyed a good life. As he looks back now on his teaching career however, he says he doesn't regret a thing.

Mr. President, Carl Weaver is a humble, selfless Kentuckian who dedicated his life to educating the youth of Kentucky. I thank him for his passion and the wisdom he has shared with the people of our great Commonwealth. The Laurel County Sentinel Echo published an article in the spring of 2011 to honor Carl's career and accomplishments. I ask unanimous consent that the full article be printed in the RECORD.

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

[From the Laurel County Sentinel Echo, Spring 2011]

BUSIER SINCE RETIREMENT: CARL WEAVER WORKS CONCESSIONS, MANS A PRODUCE STAND AND SPENDS TIME WITH GRANDCHILDREN. AND LIKE TEACHING, HE LOVES EVERY MINUTE OF IT.

(By Nita Johnson)

He walks with two canes due to rheumatoid arthritis, another storyline to the

limp he's had all his life since suffering from polio at age 3.

But the canes and the limp don't deter long-time educator Carl Weaver. In fact, since his retirement from the Laurel County school system in 2002, Weaver has been busier than ever.

In fact, Weaver depicts the word "busy." With nearly 40 years of teaching experience under his belt, Weaver has always been active in the school, in his personal life, and in his community.

Even while raising his three children, his life has revolved around academics and athletics. During school hours, the classroom setting found him instructing students about history, civics, and psychology. During summer breaks, he taught psychology at Sue Bennett College.

After-school hours found Weaver on the baseball field where he coached the South Laurel High School baseball team for six years. When not on the baseball field, Weaver was the academic team coach for Laurel County High School, and when the county school split into two high schools, he remained on at South Laurel High School as academic team coach, garnering over 20 years in that position. During this time he was an unyielding advocate for the establishment of elementary school academic teams—a goal he not only saw accomplished but saw its success and contributions to the educational programs of the school system where he taught for 33 years.

As if that weren't enough, Weaver also coached baseball for the local Little League teams, coached basketball for the Laurel-London Optimist Club, and served as a 4-H leader. His ties to the baseball field didn't end when he retired in 2002.

"I help with the concession stands at South Laurel now," Weaver said. "My son, Whitney, is assistant baseball coach there."

Weaver's teaching career began in 1963 after graduation from Cumberland College (now University of the Cumberlands). He attended Sue Bennett College for two years prior to transferring to Cumberland College to pursue his bachelor's degree. After college graduation, he moved to Zanesville, Ohio, and taught seventh- and eighth-grade students for six years before returning to Laurel County.

"I was an undergraduate student and I was only 19 when I started teaching," he said.

He earned his master's degree from Union College while still teaching full-time and raising his own children.

Weaver saw many changes over the span of his career, but his focus always remained on the students who came through his classes. Three of those students were his own children—Wayne, Karen (Davenport), and Whitney.

"I had all three in at least one class during high school," he said, "and I had Karen in her first year at Sue Bennett for psychology class. I never had any problems out of my children in class. I was probably harder on them than on other students."

Many of his former students approach him even now, some of which he said he had in class as many as 30 years ago.

"I always enjoyed teaching. I enjoyed the students," Weaver said. "You meet so many different students and see the uniqueness of each one, their personality. That's really what it's all about is the kids. You're teaching the student, not the subject matter."

He related that he still misses being in the classroom but ongoing problems with his legs prompted him to retire after reaching the 27-year mark.

"I taught for 33 years but the six years in Ohio didn't count toward my retirement time," he explained.

But retirement didn't provide time off from being busy. In fact, between his own ac-

tivities and those with his grandchildren, Weaver says he has more to do now than in the past.

Currently Weaver and his wife of 48 years, Pearl, are helping out in their son's produce stand, located on East Ky. 80 beside Arnold's Place, while they continue to raise strawberries and raspberries on their farm in the Laurel River community. That farm produces the fruits and vegetables that the Weavers display in their produce market—homemade strawberry preserves made by their son Wayne and wife Michelle. Jars of bread-and-butter pickles also adorn the counter of the market, another example of the Weaver's farming products.

"Good to see you," Carl Weaver greets the customers coming in to the produce market during the day, and their parting is accentuated with, "Thanks for stopping by. Come back and see us."

A friendly and informal manner from a man who holds his honorary doctorate in humanities, but the nature of his greeting is reason for the doctorate degree presented by his brother Neal, then president of Louisiana Baptist University in Shreveport.

"He gave me an honorary doctorate in humanities because of my long years of work with young people, in the classroom and in the community," Weaver said.

"It's been a good life," he added. "When I started college I planned to pursue a law degree. But somewhere along the lines I decided I wanted to be a teacher. I guess some people look back and see visions of better things but I enjoyed teaching and I never regretted it."

NOMINATION OF WINSLOW LORENZO SARGEANT

Ms. LANDRIEU. Mr. President, today the Senate Committee on Small Business and Entrepreneurship favorably reported out the President's nomination of Dr. Winslow Lorenzo Sargeant to serve as Chief Counsel for Advocacy of the Small Business Administration.

I am pleased that President Obama nominated such a talented individual to this top position at the SBA. His confirmation will complete the SBA's exceptional leadership team.

As Chief Counsel for Advocacy, Dr. Winslow Sargeant brings a unique background to this very important position. With a Ph.D. from the University of Wisconsin-Madison in electrical engineering and a background as a very successful small business owner, he is not only well-educated but well-educated about the challenges facing small businesses today.

He is the former managing director of Venture Investors, a Midwest venture capital company with a concentration on starting up healthcare and technology companies. From 2001 to 2005, he served as a program manager for SBIR in electronics at the National Science Foundation. He has also worked at IBM as a staff engineer, at AT&T as technical staff, and as an associate adjunct professor at the University of Pennsylvania.

With capable leaders such as Dr. Sargeant at the helm, the agency is more than ready to continue to play an important role in assisting small businesses as they lead this country to an economic recovery. We look forward to

continuing to work with them and to a new era for the SBA and American small businesses.

CELEBRATING THE U.S. NAVY'S 236th BIRTHDAY

Mr. LUGAR. Mr. President, tomorrow, the U.S. Navy celebrates its 236th birthday.

On Friday, October 13, 1775, the Continental Congress, representing the citizens of 13 American colonies, passed a resolution to acquire the first two warships for the Continental Navy. It stated "that a swift sailing vessel, to carry ten carriage guns, and a proportional number of swivels, with eighty men, be fitted with all possible dispatch, for a cruise of three months, and that the commander be instructed to cruise eastward, for intercepting such transports as may be laden with warlike stores and other supplies for our enemies, and for such other purposes as the Congress shall direct."

The Founders recognized the essential nature of a Navy to the strength and longevity of the Nation by authorizing Congress "to provide and maintain a Navy" in article I of the Constitution. A Naval Committee was established to build a fitting Navy for our fledgling country, acquire and fit out vessels for sea, and draw up regulations. The Continental Navy began a proud tradition, carried out for 236 years by our U.S. Navy, to protect our Nation and pursue the causes of freedom we hold so dear.

For the past 236 years, the central mission of the Navy has been to protect the interests of our Nation around the world on the high seas, to fight and win the wars of our Nation, and to maintain control of the sea lines of communication enabling this Nation and other free nations to grow and prosper. Whether in peace or at war, U.S. citizens around the world can rest assured that the U.S. Navy is on watch, ever vigilant, and ready to respond.

U.S. sailors, as both ambassadors and warriors, have won extraordinary distinction and respect for the Nation and its Navy. The core values of "Honor, Courage, and Commitment" are the guides by which the U.S. sailors live and serve. Today, the U.S. Navy is the most capable, most respected, and most effective sea service in the world.

Seventy-five percent of land in the world is bound by water and 75 percent of the population of the world lives within 100 miles of the sea, assuring that our naval forces will continue to be called upon to respond to emerging crises, to maintain freedom of the sea, to deter would-be aggressors, and to provide our allies with a visible reassurance of support of the United States of America.

As we celebrate our Navy's 236th birthday, America's sons and daughters continue to stand the watch on the frontlines of the war on terror at sea and on foreign shores. While we look at

the current conflicts in Iraq and Afghanistan as predominantly ground engagements, our Navy is there too. Twelve hundred Navy personnel are on the ground in Iraq (200 of these are Reservists), with a total of 21,800 deployed to the region aboard ships at sea, on bases, and air stations in the region supporting Iraq operations. Forty-six hundred sailors and officers are on the ground in Afghanistan and a total of 7,700 are deployed aboard ships at sea, on bases, and air stations in the region supporting Afghanistan operations (Operation Enduring Freedom). One thousand four hundred and thirteen Navy personnel have been killed in action in these conflicts, 576 in Operation Enduring Freedom, 820 in Operation Iraqi Freedom and 17 in Operation New Dawn as the Pentagon now refers to the Iraq war.

This year marks not only the 236th Navy birthday, but also the 100th anniversary of naval aviation. On May 8, 1911, Cpt Washington Irving Chambers, USN, Officer-in-Charge of Aviation, prepared the requisition for the Navy's first aircraft to be purchased from aviator and inventor Glenn H. Curtiss. The Navy is commemorating that historic event throughout the year at its "Navy Weeks," one of which was held in Indianapolis in August.

The 20 Navy Weeks conducted annually across the Nation exemplify the respect and proud heritage that the U.S. Navy commands. Navy Week gives the Navy a chance to show off its heritage and hardware and allows Americans to learn more about their Navy and its heroes.

No matter the cause, location or magnitude of future conflicts, the Nation can rely on its Navy to produce well-trained, well-led, and highly motivated sailors to carry out the missions entrusted to them.

As a Navy veteran myself, I speak with no small measure of pride in calling attention to the significance of the 236th birthday of the U.S. Navy and expressing the appreciation of the people of the United States to the Navy and its men and women who have dedicated 236 years of service. The honor, courage, commitment, and sacrifice that generations of Americans have made throughout the history of the Navy and the sacrifices shared by the extended Navy family of civilians, family members, and loved ones who have served for the past 236 years are extensive and greatly appreciated.

TRIBUTE TO DR. BRIAN SCHMIDT

Ms. MURKOWSKI. Mr. President, I speak today in honor of Brian Schmidt, one of three individuals who were awarded the Nobel Prize for physics this week. Dr. Schmidt, of the Australian National University, along with Dr. Adam Reiss, of Johns Hopkins University, and Dr. Saul Perlmutter, of Lawrence Berkeley National Laboratory, completed groundbreaking work on the expansion of the universe. The

scientific achievement of these three men deserves to be recognized. I am pleased to acknowledge that the scientific career of Dr. Schmidt was encouraged through his tenure in high school in Alaska.

Dr. Schmidt, originally from Montana, moved to Alaska in 1981, where he attended Bartlett High School in Anchorage, AK, graduating in 1985. At Bartlett, many teachers took note of his academic achievements and strong work ethic, and encouraged him to excel in his studies. Dr. Schmidt has remarked on the great experience he had attending school in Alaska, crediting his high school teachers for helping him cultivate an interest in science that has brought him to where he is today.

After leaving Alaska, Dr. Schmidt attended the University of Arizona, receiving a bachelors of science in both physics and astronomy, before continuing on to receive his doctorate in astronomy at Harvard University. He has since relocated to Australia with his wife Jennie and is a researcher at the Research School of Astronomy and Astrophysics at the Australian National University.

Dr. Schmidt, Dr. Reiss, and Dr. Perlmutter are receiving the Nobel Prize for a discovery that has greatly changed the field of astrophysics and made great furloughs into the understanding of dark matter, the term for the force that is driving the universe apart. Conventional understanding was that rate of expansion of the universe has slowed. However, these three scientists turned this theory on its head by proving that, in fact, the rate of expansion is actually accelerating. This change in understanding affects predictions regarding the conditions of future galaxies, and the discovery has been lauded by some as one of the greatest discoveries in science.

Those who knew Dr. Schmidt in Alaska were not surprised to learn of his accomplishment. His teachers at Bartlett knew his intellect and passion for science would take him far. I, along with many others in my State, am proud to recognize this Alaskan who has made valuable contributions to our understanding of the universe.

I offer warm congratulations to Dr. Schmidt, Dr. Reiss, and Dr. Perlmutter on their Nobel Prize and scientific achievements.

REMEMBERING THOMAS P. FOY

Mr. BINGAMAN. Mr. President, last Saturday, Thomas P. Foy died at his home in Bayard, NM, a few weeks shy of his 97th birthday. A native of Grant County, he lived most of his outstanding life there, except for the years he spent as a prisoner of war in Japan including the Bataan Death March. It was a life largely devoted to public service and completely devoted to the public good.

The word "survivor" is used rather freely these days, but he and his com-

rades, many of them fellow New Mexicans who managed to live through the horrors of years of internment, deserve the title if anyone does. But Tommy didn't just survive, he triumphed and prospered in a life well-lived.

He had graduated from Notre Dame, and received a law degree from there a year before he joined the New Mexico National Guard in 1940. Assigned to the Philippines, the 200th Coast Artillery Battery surrendered after holding out for 5 months against the Japanese and began their gruesome forced march to prison. In 1945, the war was ended and he was rescued.

His postwar life was full of accomplishment and service. Practicing law, marrying, running for—and winning—public office, founding a bank and raising five children with his wife Joan, and doing it all with a stout, cheerful heart brought him admiration and affection from all quarters. He served in the New Mexico State Legislature for 28 years.

For many of us from Grant County, this is the loss of a beloved family member. My parents, now deceased, and my wife Anne and I certainly share that view. A stalwart figure, he was true to his faith, his family, our country and Notre Dame, and deeply loved and respected in return. He is already greatly missed.

REMEMBERING MAJOR THOMAS E. CLARK

Mr. TOOMEY. Mr. President, today I pay tribute to Air Force Major Thomas E. Clark, from Emporium, PA, whose aircraft was shot down during a combat mission over Laos in 1969.

Thomas graduated from the U.S. Air Force Academy in 1963. He served with the 416th Tactical Fighter Squadron, 37th Tactical Flight Wing.

He was the beloved son of Otto and Josephine Schager Clark. He was married to his high school sweetheart, Kathleen Mottern of Emporium.

On February, 8, 1969, Major Clark was flying an F-100D aircraft from Phu Cat Air Base, Republic of Vietnam, in a flight of four on a combat mission over Laos. The flight engaged a 23mm anti-aircraft artillery battery and his aircraft was hit, burst into flames and crashed. No parachute was observed. Visual and electronic searches detected no sign of life. Subsequent to the incident the U.S. Air Force determined Major Clark to be Killed in Action, Body Not Recovered.

In his career, Major Clark was awarded the Distinguished Flying Cross, Bronze Star Medal, Purple Heart, Air Medal with Two Oakleaf Clusters, National Defense Service Medal and the Vietnam Service Medal with One Bronze Service Star.

On October 14-20, 2009, a joint U.S./Laotian team investigated the crash site for the fourth time and recovered a human tooth which was later identified as the remains of Major Clark.

During a ceremony at Emporium, PA, on October 22, 2011, his remains

will be interred in a plot beside his parents.

My thoughts and prayers are with Major Clark's family and friends as we honor the life and service of this Pennsylvanian hero.

All Americans are deeply indebted to Major Clark for his service and sacrifice.

ADDITIONAL STATEMENTS

REMEMBERING JOE GARLAND

• Mr. KERRY. Mr. President, over the course of the past half century, Joe Garland served as the unofficial historian of Gloucester, MA—its fishermen, its boats and its life. But Joe Garland not only wrote history in his books and newspaper column—he was part of history, guiding his beloved hometown through headwinds and troubled waters. Joe Garland passed away August 30, and his family and friends gathered October 1 for a memorial service. I would like to share with the Senate the thoughts and memories of Joe that I shared with those who were part of that service honoring this great champion of all things Gloucester.

If you visit the Fisherman's Memorial on Gloucester's waterfront on a stormy winter day, the statue of the Heroic Mariner seems to be steering the whole town into the wind toward fair weather. And if you look closely at the statue, you can almost see Joe Garland in its carved granite face, full of grit and determination, guiding his beloved Gloucester through headwinds and troubled waters.

"Beating to windward" is the art of sailing into the wind. "Beating to Windward" is also the name of the column Joe wrote so many years for the Gloucester Times. And it is no surprise to any of us who knew him that Joe used the column to champion all things Gloucester. Joe didn't just chronicle Gloucester's history—he was a part of it. In his column and in his books, he brought to life the era of the great schooners—like the 122-foot Adventure, the flagship of Gloucester, and the larger-than-life Gloucestermen—like the "Bear of the Sea," Giant Jim Patillo, and the "Lone Voyager," Howard Blackburn.

But he also used the sharpness of his pen to make his case on all kinds of civil causes—opposing unbridled economic development, warning about the loss of local control of the hospital and water supply, complaining about compromises on the environment or demanding the preservation of Gloucester's beauty. And trust me—Joe never hesitated to offer his advice to a certain U.S. Senator, if he felt like I needed it.

Joe wrote with passion, conviction and humor, never with ill will or with the intent to wound. He was a gentleman. And always, whether in his column or in his books, he promoted the interests of Gloucester's fishing fleet. In my office in Washington, I

have a copy of the book he wrote in 2006, "The Fish and the Falcon," about Gloucester's role in the American Revolution. His inscription to me expresses his appreciation "for your efforts to relieve the fiscal crisis that has long haunted our beleaguered fishing industry." He urged me to keep up the fight, and I have.

Joe wrote 21 books, and I always enjoyed his sharing the latest with me. In my Boston office, I have a copy of his book about the Adventure, which he helped to restore. It arrived with an invitation from Joe to tour the schooner and, of course, I didn't waste any time accepting his invitation. He welcomed me aboard, and his tour made the Adventure's history come alive—from its construction in 1926 through its career as a "highliner," the biggest money-maker of them all, landing nearly \$4 million worth of cod and halibut during her career.

But the book that spoke to me the most was his last, "Unknown Soldiers," his memoir of World War II and his journey from a student at Harvard to a "dogface" with a close-knit infantry in Sicily, Italy, France and finally Germany. It is a clear, eloquent and unflinching panorama of the mundane and the horrific in war. It is, by turns, humorous, poignant and gut-wrenching, with the common soldier perspective long associated with journalist Ernie Pyle or cartoonist Bill Mauldin, a point of view with which soldiers from my war, from any war—a band of brothers stretching through generations of Americans—can identify.

I was deeply saddened to learn of Joe's passing. But I am glad that his passing was gentle, his last moments of his life near the window of his beloved house by the sea, surrounded by loved ones and squeezing the hand of the woman he loved—Helen, his wife, his World War II pen pal. And how fitting that in those final moments, the schooner Landon fired a farewell cannon salute to Joe as it headed out to sea. Joe loved the tradition of cannon salutes, so much so that he fired one at the wedding of his stepdaughter, Alison, only to have it backfire, burning a hole in his jacket and covering his face with gunpowder, just in time for the official wedding photos. But that was Joe, and a face smudged with gunpowder underscored what we all know—truly, his was a life well lived.

There is an anonymous quote I once read which may well describe how we should think of Joe's passing. It says:

I am standing upon the seashore. A ship at my side spreads her white sails to the morning breeze and starts for the blue ocean. She is an object of beauty and strength, and I stand and watch her until, at length, she hangs like a speck of white cloud just where the sea and sky come down to mingle with each other. Then someone at my side says, "There! She's gone."

Gone where? Gone from my sight—that is all. She is just as large in mast and hull and spar as she was when she

left my side, and just as able to bear her load of living freight to the place of destination. Her diminished size is in me, not in her, and just at the moment when someone at my side says, "There, she's gone,"—there are other eyes watching her coming, and other voices ready to take up the glad shout, "There she comes!" And that is dying.

Because Joe loved the sea so much—and because he enjoyed watching seagulls soar—I close with a special poem. It is titled "Sea Joy" and it was written in 1939 by a little girl named Jaqueline Bouvier. America eventually came to know her as Jackie Kennedy. But when she was 10 years old, she wrote:

"When I go down by the sandy shore
I can think of nothing I want more
Than to live by the booming blue sea
As the seagulls flutter round about me
I can run about—when the tide is out
With the wind and the sand and the sea all
about
And the seagulls are swirling and diving for
fish
Oh—to live by the sea is my only wish."

To Helen and Joe's family, I extend my deepest sympathy, but with a reminder that Joe's work, like the sea he loved, is eternal and booming, and that Joe's life, like the seagulls he enjoyed so much, swirled and soared.

And to Joe, from one sailor to another, I wish him "fair winds and following seas."•

RECOGNIZING MOTHER'S MOUNTAIN

• Ms. SNOWE. Mr. President, across the country one of the most treasured and comforting thoughts of home is our own family's homemade cooking. Regardless of whether this delicious homemade cooking is a main dish, a condiment, or a dessert, we will always remember the wonderful way it tastes. In my home State of Maine, one small business has taken the fond memories of home cooking and developed a successful small business. Today, I commend Mother's Mountain, located in the coastal town of Falmouth, which this month will celebrate its 30th anniversary.

Growing up during the Great Depression, Carol Tanner remembered her mother making homemade mustard for her father, and in later years she too acquired a fondness for this delectable condiment. In 1981, Carol Tanner and her then business partner now husband, Dennis Proctor, took Carol's childhood memories and turned that single mustard recipe into a business which now offers over 30 appetizing specialty products. Today, they make dozens of award winning jams, jellies, sauces, marinades and honeys. They also emphasize healthier alternatives by producing natural, gluten free, salt free, and fat free products.

As a family-run small business, Mother's Mountain employs three generations, who are instrumental in maintaining the quality and customer

service, which is the key ingredient in their success. In order to ensure that their customers receive personal attention and the highest quality product, Dennis and Carol personally hand-pack and label each and every jar.

Mother's Mountain creations have received extraordinary reviews from *Maine Magazine* and *Eat Around Maine*. In addition to selling its homemade goods, Mother's Mountain also provides appetizing recipe ideas to its customers using their products. Mother's Mountain also produces delectable items for other Maine-based companies, such as L.L. Bean.

Small businesses like Mother's Mountain are the lifeblood of our economy, and indicative of the great entrepreneurial spirit that is alive and well in Maine. I congratulate Carol and Dennis, for operating such a successful business from the ground up out of their home, and commend them for passing down this strong work ethic through three generations. I am proud to celebrate Mother's Mountain's 30th year anniversary, and offer my best wishes for their continued success.●

TRIBUTE TO KIRK KLANCKE

● Mr. UDALL of Colorado. Mr. President, today I recognize Kirk Klancke, an angler and true Coloradan known for his commitment to preserving our environment and making Colorado a better place to live, work and play.

Kirk was recently selected as a finalist for Field and Stream Magazine's prestigious Heroes of Conservation Award. He was chosen based on his leadership and commitment to an effort he has led to preserve the Fraser River. This achievement goes to show how important his water conservation work in the West has been, and I want to take this opportunity to acknowledge his significant contributions to the State of Colorado.

Both Kirk and I have spent time enjoying the natural beauty of our State while appreciating the value of preserving it for future generations. Kirk's longstanding dedication to these values has not only ensured that we can fully enjoy what Colorado has to offer, but that our kids will too. His work embodies what I have long held to be true—we don't inherit the Earth from our parents; we borrow it from our children and the generations that will follow.

Currently serving as president of the Colorado River Headwaters Chapter of Trout Unlimited, Kirk leads a team improving watersheds, restoring trout populations and keeping our rivers and streams healthy. More specifically, Kirk has been instrumental in efforts to conserve waters of the Fraser River and ensure their use for generations to come. As one example of this work, he has spearheaded the removal of highway traction sand from the water, which impedes flows and the ability of trout to spawn.

Colorado has reaped many benefits from his efforts as a capable conserva-

tionist that understands this delicate work and how to overcome the challenge of building consensus around water-use solutions. Among others, he sits on the Grand County Water Information Network Board and the Colorado River Basin Roundtable. Formerly serving on the Fraser Sanitation District Board of Directors, and now as manager of the Winter Park Ranch Water and Sanitation District, Kirk's contribution to one of Colorado's most precious resources—our water—continues to be vital to the health of the Fraser Valley community and our State's water supplies.

I commend Kirk for his recognition as a Field and Stream Hero of Conservation, and I wish him well in his continued efforts to keep Colorado's natural resources healthy.●

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.)

MESSAGES FROM THE HOUSE

At 12:47 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that it had passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1025. An act to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.

H.R. 1263. An act to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures, and for other purposes.

H.R. 2074. An act to amend title 38, United States Code, to require a comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents that occur at medical facilities of the Department of Veterans Affairs, to improve rehabilitative services for veterans with traumatic brain injury, and for other purposes.

H.R. 2302. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs, and for other purposes.

H.R. 2349. An act to amend title 38, United States Code, to improve the determination of annual income with respect to pensions for certain veterans, to direct the Secretary of Veterans Affairs to establish a pilot program to assess the skills of certain employees and managers of the Veterans Benefits Administration, and for other purposes.

At 6:30 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that it had passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3078. An act to implement the United States-Colombia Trade Promotion Agreement.

H.R. 3079. An act to implement the United States-Panama Trade Promotion Agreement.

H.R. 3080. An act to implement the United States-Korea Free Trade Agreement.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 2832) to extend the Generalized System of Preferences, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1025. An act to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; to the Committee on Veterans' Affairs.

H.R. 1263. An act to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2074. An act to amend title 38, United States Code, to require a comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents that occur at medical facilities of the Department of Veterans Affairs, to improve rehabilitative services for veterans with traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2302. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2349. An act to amend title 38, United States Code, to improve the determination of annual income with respect to pensions for certain veterans, to direct the Secretary of Veterans Affairs to establish a pilot program to assess the skills of certain employees and managers of the Veterans Benefits Administration, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2681. An act to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3545. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Sudanese Sanctions Regulations; Iranian Transactions Regulations; Final Rule"

(31 CFR Parts 538 and 560) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-3546. 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 "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2011-84) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2011; to the Committee on Finance.

EC-3547. 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 "Updated Procedures for Opinion and Advisory Letter Rulings for Pre-approved Plans" (Notice No. 2011-49) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2011; to the Committee on Finance.

EC-3548. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Implementation of Recovery Auditing at the Centers for Medicare and Medicaid Services" for fiscal year 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-3549. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Reactive Blue 69; Confirmation of Effective Date" (Docket No. FDA-2009-C-0543) received in the Office of the President of the Senate on October 5, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-3550. A communication from the Program Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Countermeasures Injury Compensation Program (CICP): Administrative Implementation, Final Rule" (RIN0906-AA83) received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-3551. A communication from the Director, Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Presumptive Service Connection for Diseases Associated With Service in the Southwest Asia Theater of Operations During the Persian Gulf War; Functional Gastrointestinal Disorders" (RIN2900-AN83) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Veterans' Affairs.

EC-3552. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Embraer—Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-500 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0088)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3553. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-

2011-0225)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3554. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Viking Air Limited (Type Certificate No. A-815 Formerly Held by Bombardier Inc. and de Havilland, Inc.)" ((RIN2120-AA64) (Docket No. FAA-2011-0597)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3555. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab AB, Saab Aerosystems Model SAAB 2000 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0476)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3556. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model SA-365N and SA-365N1 Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0791)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3557. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF34-10E2A1, CF34-10E5, CF34-10E5A1, CF34-10E6, CF34-10E6A1, CF34-10E7, and CF34-10E7-B Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2011-0187)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3558. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701 and 702), Model CL-600-2D15 (Regional Jet Series 705), and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0515)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3559. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200, A330-300, A340-300, A340-500, and A340-600 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0385)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3560. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives;

The Boeing Company Model DC-9-81 (MD-81), and DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), and MD-88 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2009-1213)) received during adjournment of the Senate in the Office of the President of the Senate on September 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3561. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney (PW) Models PW4074 and PW4077 Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2010-1095)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3562. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.28 Mark 1000, 2000, 3000, and 4000 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0473)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3563. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0470)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3564. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A320-214, -232, and -233 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0305)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3565. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F-28 Mark 1000, 2000, 3000, and 4000 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0472)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3566. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2007-28661)) received during adjournment of the Senate in the Office of the President of the Senate on September 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3567. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Cod by Non-American Fisheries Act Crab Vessels Harvesting Pacific Cod for Processing by the Inshore Component in the

Central Regulatory Area of the Gulf of Alaska" (RIN0648-XA715) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3568. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XA710) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3569. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XA704) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3570. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XA690) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3571. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Surfclam and Ocean Quahog Fisheries; 2012 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit" (RIN0648-XA529) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3572. A communication from the Deputy Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Highly Migratory Species; Annual Catch Limits and Accountability Measures" (RIN0648-BA35) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3573. A communication from the Deputy Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 45; Adjustments for Fishing Year 2011" (RIN0648-BA27) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3574. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XA722) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3575. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal

Pelagic Species Fisheries; Closure" (RIN0648-XA709) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3576. A communication from the Deputy Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Stone Crab Fishery of the Gulf of Mexico; Removal of Regulations" (RIN0648-BB07) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3577. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure" (RIN0648-XA677) received in the Office of the President of the Senate on October 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3578. 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 "Addition of Certain Persons on the Entity List; Implementation of Entity List Annual Review Change; and Removal of Persons from the Entity List Based on Removal Requests" (RIN0694-AF28) received in the Office of the President of the Senate on October 5, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3579. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "The Cross-Border Trucking Pilot Program Report to Congress"; to the Committee on Commerce, Science, and Transportation.

EC-3580. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Model A109A, A109A II, A109C, and A109K2 Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0823)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3581. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2007-27747)) received during adjournment of the Senate in the Office of the President of the Senate on September 29, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3582. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data and defense services to support the Proton launch of the W5A Commercial Communication Satellites from the Baikonur Cosmodrome in Kazakhstan in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-3583. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement to include the export of defense articles, including tech-

nical data and defense services to The Netherlands for the manufacture of Improved Extended Forward Avionics Bays for the AH-64D Apache Helicopter for end use by the United States Government in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-3584. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement to include the export of defense articles, including technical data and defense services to the Republic of Korea to support the manufacture and assembly of the Rolling Airframe Missile (RAM) Guided Missile Round Pack (GMRP) and Guided Missile Launching System (GMLS) in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-3585. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, three reports entitled, "Audit of Advisory Neighborhood Commission 2F for Fiscal Years 2008 through 2011, as of March 31, 2011", "Audit of Advisory Neighborhood Commission 4D for Fiscal Years 2008 through 2011, as of March 31, 2011", and "Audit of Advisory Neighborhood Commission 5A for Fiscal Years 2008 through 2011, as of March 31, 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-3586. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "District of Columbia Agencies' Compliance with Fiscal Year 2010 Small Business Enterprise Expenditure Goals"; to the Committee on Homeland Security and Governmental Affairs.

EC-3587. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 2nd Quarter of Fiscal Year 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-3588. A communication from the Acting District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 3rd Quarter of Fiscal Year 2011"; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*Joyce A. Barr, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Assistant Secretary of State (Administration).

*Michael A. Hammer, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be an Assistant Secretary of State (Public Affairs).

*Anne Terman Wedner, of Illinois, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2013.

*Katherine M. Gehl, of Wisconsin, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2013.

*Terry Lewis, of Michigan, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2011.

*Terry Lewis, of Michigan, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2014.

*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.

*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.

*Dan W. Mozena, of Iowa, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of Bangladesh.

Nominee: Dan W. Mozena.
Post: Dhaka, Bangladesh.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Anne C. Mozena, None; Mark W. Mozena, None. (Both are single).
4. Parents: Kenneth E. Mozena, (Deceased); Edna C. Mozena, \$100, Annually, Republican National Committee.
5. Grandparents: Frank Mozena, (Deceased); Hattie Mozena, (Deceased); William Gottschalk, (Deceased); Charlotte Gottschalk, (Deceased).
6. Brothers and Spouses: Darryl & Terry Mozena, \$500 (total), 2005–2010, RNC; Jeff and Janet Mozena, None; Terry and Angie Mozena, None.
7. Sisters and Spouses: Kris Ann (Mozena) McNamer (Deceased); Marty McNamer, \$100, 2008, RNC.

*Robert A. Mandell, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Nominee: Robert Mandell.

Post: Ambassador to the Grand Duchy of Luxembourg.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$1000, 12/4/07, Robert Wexler for Congress; \$1000, 9/5/07, Tom Feeney for Congress; \$2100, 9/26/07, Citizens for Harkin; \$2300, 4/26/07, Obama for America; \$2300, 4/26/07, Obama for America; \$4600, 8/23/07, Martinez for Senate; -\$2300, 12/29/08, Martinez for Senate; \$2,100, 09/07, ACT Blue; \$2,500, 12/07, Dem Sen Camp Comm; \$1,000, 12/07, Charlie Stuart Campaign; \$2300, 3/17/08, Yarmuth for Congress; \$100, 04/08, Darcy Burner for Seattle; \$1000, 6/6/08, Alexander for Senate; \$2300, 10/24/08, Castor for Congress; \$2300, 10/25/08, Kosmas for Congress; \$2300, 7/14/08, Hillary Clinton for President; \$250, 4/21/08, Dollars for Democrats; \$1000, 10/31/08, Committee to Elect Alan Grayson; \$500, 8/12/08, Hodes for Congress; \$2250, 6/27/08, Friends of Carl Levin; \$5000, 10/30/08, Democratic Exec. Committee of FL; \$1000, 2/11/08, Klein for Congress; \$4000, 8/20/08, Obama Victory Fund; \$1700, 8/27/08, Obama for America via Obama VF; \$2300, 8/27/08, Obama for America via Obama VF; -\$4000, 8/23/11, Obama for America (refunded); \$27000, 10/2/08, Committee for Change; \$28500, 5/21/08, DNC; \$300, 02/09, Mica

for Congress; \$2500, 2/3/09, Franken Recount Fund; \$1,000, 06/09, Kendrick Meek; \$5000, 10/29/09, Midwest Values PAC; \$400, 9/30/09, Kendrick Meek for Florida INC; \$1000, 6/11/09, Kosmas for Congress; \$1000, 9/30/09, Kosmas for Congress; \$1000, 11/19/09, Klein for Congress; \$4800, 4/28/09, Bill Nelson for Senate; \$2300, 2/8/09, Al Franken for Senate; \$1000, 7/16/09, Boyd for Congress; \$1,000, 12/09, Kendrick Meek; \$1000, 3/30/10, Kosmas for Congress; \$500, 06/10, Mica for Congress; \$2400, 9/29/10, Yarmuth for Congress; \$1500, 4/13/10, DCCC; \$1000, 8/2/10, Lori Edwards Campaign Cmte; \$1000, 9/27/10, Lori Edwards Campaign Cmte; \$1000, 3/2/10, Ted Deutch for Congress; \$10000, 8/23/10, Democratic Exec Cmte of FL; \$1400, 8/16/10, Boyd for Congress; \$1000, 3/1/11, McCaskill for Missouri.

2. Spouse: Julie W. Mandell: \$2400, 3/26/10, Kendrick Meek for Florida INC; \$1000, 3/31/10, Kendrick Meek for Florida INC; \$2400, 9/10/10, Kosmas for Congress.

3. Children and Spouses: Zachary Mandell: \$2300, 4/26/07, Obama for America; \$2100, 6/30/07, Obama for America. Scott Mandell: \$2000, 2/27/08, Obama for America.

4. Parents: Lester Mandell: \$2300, 4/26/07, Obama for America; \$2300, 6/30/07, Obama for America; \$200, 09/07, Charlie Stuart for Congress; \$28500, 7/31/08, DNC; \$250, 2/14/08, Washington PAC; \$1000, 7/9/08, Washington PAC; \$250, 4/8/08, Charlie Stuart for Congress; \$2000, 5/6/09, Bill Nelson for Senate; \$500, 11/08/10, Washington PAC; \$3000, 3/28/11, Bill Nelson for Senate. Sonia Mandell: \$500, 6/18/08, Friends of Carl Levin; \$500, 6/26/08, Friends of Carl Levin; \$2300, 4/26/07, Obama for America; \$2300, 6/30/07, Obama for America; \$1250, 11/04/09, Midwest Values PAC.

5. Grandparents: None.
6. Brothers and Spouses: None.
7. Sisters and Spouses: Allison Knapp: \$1,000, 4/26/07, Obama for America; \$3,600, 6/27/07, Obama for America.

*Thomas Charles Krajjeski, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Bahrain.

Nominee: Thomas C. Krajjeski.
Post: Bahrain.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

- Contributions, Amount, Date, and Donee:
1. Self: None.
 2. Spouse: \$50, 07/08, Democratic Party.
 3. Children and Spouses: Alix (Krajjeski) O'Connell: None. Brian O'Connell: None. Jenna Krajjeski: \$25, 07/08, Obama. Aaron Krajjeski: None.
 4. Parents: Chester J. Krajjeski—deceased; Helen J. Krajjeski—deceased.
 5. Grandparents: Jacob Krajjeski—deceased; Anna Krajjeski—deceased; Percy Trasher—deceased; Emma Trasher—deceased.
 6. Brothers and Spouses: Stephen Krajjeski—deceased; Michael & Maria Krajjeski: \$25, 07/08, Obama; William & Kathleen Krajjeski: \$50, 07/08, McCain; Lawrence & Pamela Krajjeski: \$50, 07/08, Obama.
 7. Sisters and Spouses: Margaret Krajjeski—deceased; Janet & Joseph Paquette: \$250, 07/08, Democratic Party.

*Susan Denise Page, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of South Sudan.

Nominee: Susan Denise Page.
Post: Juba, South Sudan.

(The following is a list of all members of my immediate family and their spouses. I

have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

- Contributions, amount date, and donee:
1. Self: \$300, 7–31–2008, Obama for America.
 2. Spouse Damien Kaki Coulibaly 0.
 3. Children and Spouses Names: Marius Muhjima Page: 0.
 4. Parents Names: Dr. & Mrs. Harold A. and Maurice F. Page: 200, 2006, Campaign of Obama for Senate; 200, 2008, Obama for America; 100, 2000, Carol Mosseley Branun; 100, 2002, Sen. Nelson (FL).
 5. Grandparents Names: Deceased.
 6. Brothers and Spouses Names: Mr. and Mrs. Harold Brian and Natalie Page: 5.00, 2011, Organizing for Obama.

*Adrienne S. O'Neal, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cape Verde.

Nominee: Adrienne S. O'Neal.
Post: Cape Verde.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

- Contributions, Amount, Date, and Donee:
Self: none; Children and Spouses: Quincy S. O'Neal, none; Parents: deceased; Grandparents: deceased; Brothers and Spouses: (N/A); Sisters and Spouses: Deborah P. O'Neal, sister, none.

*Mary Beth Leonard, of Massachusetts, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mali.

Nominee: Mary Beth Leonard.
Post: Mail.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

- Contributions, amount, date, and donee:
1. Self: none.
 2. Spouse: n/a.
 3. Children and Spouses: n/a.
 4. Parents: Earl W. Leonard—deceased; Margaret M. Leonard—none.
 5. Grandparents: Thomas F. and Florence Leonard—deceased; Joseph and Catherine M. Mastrorio—deceased.
 6. Brothers and Spouses: Michael Leonard—deceased.
 7. Sisters and Spouses: Claire M. and William K. McIntire, none; Ann Marie and David N. Stoica, none.

*Mark Francis Brzezinski, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sweden.

Nominee: Mark Francis Brzezinski.
Post: Ambassador to Sweden.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

- Contributions, amount, date, and donee:
Self: \$500, April 15, 2001, Alexandria (VA) Democratic Committee; \$1,000, April 7, 2011,

Kaine for VA (Senate); \$500, February 9, 2011, Bysiewicz for Senate; \$250, July 1, 2010, Giannoulas for U.S. Senate; \$1,000, May 28, 2010, Friends of Mark Warner; \$1,000, Nov. 25, 2009, Forward Together PAC.

Spouse: Natalia Anna Brzezinski, None, Children and Spouses: Aurora Emilie Brzezinski, None.

Parents: Zbigniew Brzezinski, None; Muska Brzezinski, None.

Grandparents: Emilie Benes, Deceased; Leonia Brzezinski, Deceased; Tadeusz Brzezinski, Deceased.

Brothers and Spouses: Ian Brzezinski, None; Ginny Brzezinski, None.

Sisters and Spouses: Mika Brzezinski, None; Jim Hoffer, None.

Mr. KERRY, Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

*Foreign Service nominations beginning with Nicholas E. Gutierrez and ending with John L. Shaw, which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2011.

*Foreign Service nominations beginning with Erik M. Anderson and ending with Larry G. Padget, Jr., which nominations were received by the Senate and appeared in the Congressional Record on September 8, 2011.

*Foreign Service nominations beginning with Robert Donovan, Jr. and ending with Brenda Vanhorn, which nominations were received by the Senate and appeared in the Congressional Record on September 15, 2011.

By Ms. LANDRIEU for the Committee on Small Business and Entrepreneurship.

*Winslow Lorenzo Sargeant, of Wisconsin, to be Chief Counsel for Advocacy, Small Business Administration.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 1682. A bill to amend the Food, Conservation, and Energy Act of 2008 to promote growth and opportunity for the dairy industry in the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. HAGAN (for herself and Mr. GRAHAM):

S. 1683. A bill to provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively enforce trade laws relating to textile and apparel articles, and for other purposes; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. AKAKA, Mr. MCCAIN, and Mr. HOEVEN):

S. 1684. A bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes; to the Committee on Indian Affairs.

By Mr. WEBB (for himself and Mr. WARNER):

S. 1685. A bill to amend the Internal Revenue Code of 1986 to allow rehabilitation expenditures for public school buildings to qualify for rehabilitation credit; to the Committee on Finance.

By Mr. CASEY:

S. 1686. A bill to amend section 1112 of the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 1687. A bill to adjust the boundary of Carson National Forest, New Mexico; to the Committee on Energy and Natural Resources.

By Ms. MIKULSKI:

S. 1688. A bill to amend the provisions of title 5, United States Code, relating to the methodology for calculating the amount of any Postal surplus or supplemental liability under the Civil Service Retirement System, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TOOMEY:

S. 1689. A bill to amend title 38, United States Code, to require a comprehensive policy on reporting and tracking sexual assault incidents and other safety incidents that occur at medical facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCAIN (for himself, Mr. KYL, Mr. HATCH, Mr. LEE, and Mr. BARRASSO):

S. 1690. A bill to preserve the multiple use land management policy in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 1691. A bill to amend chapter 44 of title 18, United States Code, to update certain procedures applicable to commerce in firearms and remove certain Federal restrictions on interstate firearms transactions; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. CRAPO, Mr. WYDEN, Mr. RISCH, Mr. REID, Mr. COCHRAN, Mr. TESTER, Mr. BLUNT, Mrs. FEINSTEIN, Mr. HELLER, Mr. UDALL of New Mexico, Mrs. BOXER, Ms. CANTWELL, Mrs. MURRAY, Mr. BENNET, Mr. MERKLEY, Mr. SANDERS, Mr. JOHNSON of South Dakota, Mr. BEGICH, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mr. FRANKEN, and Mr. LEVIN):

S. 1692. A bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, to provide full funding for the Payments in Lieu of Taxes program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 1693. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of tax by insurance companies through reinsurance with non-taxed affiliates; to the Committee on Finance.

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

S. 1694. A bill to limit the use of cost-type contracts by the Department of Defense for major defense acquisition programs; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 1695. A bill to require accurate disclosures to consumers of the terms and condi-

tions of 4G service and other advanced wireless mobile broadband service; to the Committee on Commerce, Science, and Transportation.

By Mr. LEAHY (for himself, Ms. MIKULSKI, Ms. LANDRIEU, and Mr. CARDIN):

S. 1696. A bill to improve the Public Safety Officers' Benefits Program; to the Committee on the Judiciary.

By Mr. LEE (for himself and Mr. SCHUMER):

S. 1697. A bill to amend the Immigration and Nationality Act to provide a special rule for the period of admission of H-2A non-immigrants employed as sheepherders, goat herders, or dairy farmers, and for other purposes; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself and Mr. BROWN of Massachusetts):

S. 1698. A bill to add engaging in or supporting hostilities against the United States to the list of acts for which United States nationals would lose their nationality; to the Committee on the Judiciary.

By Mr. KOHL:

S. 1699. A bill to reduce the costs of prescription drugs under the Medicare program, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 291. A resolution recognizing the religious and historical significance of the festival of Diwali; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. ROCKEFELLER, Mr. PRYOR, Mr. ALEXANDER, Mrs. MURRAY, Mr. BROWN of Ohio, Mr. COCHRAN, Mr. ENZI, Mr. LIEBERMAN, and Mr. LEVIN):

S. Res. 292. A resolution designating the week beginning October 16, 2011, as "National Character Counts Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 581

At the request of Mr. BURR, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 581, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers.

S. 714

At the request of Mr. BINGAMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 714, a bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes.

S. 847

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 847, a bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes.

S. 887

At the request of Mr. NELSON of Florida, the name of the Senator from

Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 887, a bill to increase the portion of community block grants that may be used to provide public services, and for other purposes.

S. 1102

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1102, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 1231

At the request of Mr. LEAHY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1231, a bill to reauthorize the Second Chance Act of 2007.

S. 1251

At the request of Mr. COBURN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1251, a bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1281

At the request of Mr. KIRK, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1281, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing two or more levels stacked on top of one another.

S. 1301

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1301, a bill to authorize appropriations for fiscal years 2012 to 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in person, and for other purposes.

S. 1358

At the request of Mr. TESTER, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1358, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 1452

At the request of Mr. DURBIN, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1452, a bill to promote simplification and fairness in the administration and collection of sales and use taxes.

S. 1460

At the request of Mr. BAUCUS, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1460, a bill to grant the congressional gold medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 1472

At the request of Mrs. GILLIBRAND, the name of the Senator from Alabama

(Mr. SESSIONS) 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. 1506

At the request of Mr. RUBIO, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. COBURN), the Senator from South Carolina (Mr. DEMINT), the Senator from Utah (Mr. HATCH), the Senator from Oklahoma (Mr. INHOFE), the Senator from Utah (Mr. LEE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kentucky (Mr. PAUL), the Senator from Louisiana (Mr. VITTER) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 1506, a bill to prevent the Secretary of the Treasury from expanding United States bank reporting requirements with respect to interest on deposits paid to nonresident aliens.

S. 1541

At the request of Mr. BENNET, the names of the Senator from North Carolina (Mr. BURR), the Senator from North Carolina (Mrs. HAGAN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Alaska (Mr. BEGICH) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1541, a bill to revise the Federal charter for the Blue Star Mothers of America, Inc. to reflect a change in eligibility requirements for membership.

S. 1569

At the request of Mr. BURR, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1569, a bill to amend the Elementary and Secondary Education Act of 1965 to provide State educational agencies and local educational agencies with flexible Federal education funding that will allow such State and local educational agencies to fund locally determined programs and initiatives that meet the varied and unique needs of individual States and localities.

S. 1600

At the request of Mr. MORAN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1600, a bill to enhance the ability of community banks to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1616

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1676

At the request of Mr. THUNE, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Florida (Mr. RUBIO), the Senator from New Hampshire (Ms. AYOTTE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kentucky (Mr. PAUL), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. KYL), the Senator from Mississippi (Mr. WICKER), the Senator from Kansas (Mr. ROBERTS), the Senator from North Dakota (Mr. HOEVEN), the Senator from Indiana (Mr. LUGAR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Idaho (Mr. RISCH), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Ohio (Mr. PORTMAN), the Senator from Indiana (Mr. COATS), the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mr. CORKER), the Senator from Nevada (Mr. HELLER), the Senator from South Carolina (Mr. DEMINT), the Senator from Arizona (Mr. MCCAIN), the Senator from Illinois (Mr. KIRK), the Senator from Texas (Mr. CORNYN), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 1676, a bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

S. 1679

At the request of Mr. THUNE, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Idaho (Mr. CRAPO), the Senator from Oklahoma (Mr. INHOFE), the Senator from Nebraska (Mr. JOHANNIS), the Senator from Illinois (Mr. KIRK), the Senator from Ohio (Mr. PORTMAN), the Senator from Mississippi (Mr. WICKER), the Senator from Louisiana (Mr. VITTER), the Senator from Indiana (Mr. LUGAR) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 1679, a bill to ensure effective control over the Congressional budget process.

S. 1680

At the request of Mr. CONRAD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1680, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S.J. RES. 6

At the request of Mrs. HUTCHISON, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S.J. Res. 6, a joint resolution disapproving the rule submitted by the

Federal Communications Commission with respect to regulating the Internet and broadband industry practices.

S. RES. 253

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

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself, Mr. AKAKA, Mr. MCCAIN, and Mr. HOEVEN):

S. 1684. A bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes; to the Committee on Indian Affairs.

Mr. BARRASSO. Mr. President, I rise today to introduce the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011. For far too long, bureaucratic red tape has prevented Indian tribes from pursuing economic development opportunities on tribal trust lands, including energy development. For years, Indian tribes have expressed concerns about how Federal laws and regulations governing the management of trust resources, including energy resources, create significant delays and uncertainty in development proposals.

This bill represents an effort to deal with some of those concerns, and for the RECORD I would like to highlight some of its provisions. The Energy Policy Act of 2005 included an Indian Energy title—Title V—that, in significant part, attempts to deal with these delays and uncertainties that are inherent in the Bureau of Indian Affairs’ energy leasing process, by providing Indian tribes with an alternative way to develop their energy resources. However, more than 6 years after the enactment of that act, it appears that no tribe has yet availed itself of the new energy development process authorized in the 2005 Act.

This bill includes a number of amendments to the alternative process established back in 2005, all of which are intended to facilitate the use of that section—to make the process easier for Indian tribes to follow and more predictable—be clearing away some of the red tape and other impediments.

Another amendment to this process would provide the Indian tribes with some funding to implement the processes authorized under the 2005 Energy Policy Act, in a way that should not increase the cost of the program. What this amendment would do is require the Secretary to provide funding to the tribe for its energy development activities in an amount equal any savings that the United States might realize as a result of the Indian tribe pursuing this process, since the Indian tribe would be performing many functions itself rather than the Bureau of Indian Affairs. The bill requires the Secretary to iden-

tify the savings to the United States and make that amount available to the Indian tribe in a separate funding agreement.

The ultimate goal of these amendments is to facilitate economic development, provide Indian people with an opportunity to make a good living, and give the tribes greater control over the management and development of their own trust resources.

There are other energy-related issues addressed in this bill as well. There is an amendment to section 201 of the Federal Power Act that would put Indian tribes on a similar footing with States and municipalities for preferences when preliminary permits or original licenses, where no preliminary permit has been issued, for hydroelectric projects. However, this provision does not affect any preliminary permit or original license issued before the bill’s enactment date or any application for an original license where no preliminary permit has been issued that was complete before the date of enactment of the bill.

The bill would also authorize a “biomass demonstration project” for biomass energy production from Indian forest lands, rangelands and other Federal lands in accordance with program requirements developed by the Secretaries of Interior and Agriculture after consultation with Indian tribes. This amendment would promote the development of tribal biomass projects by providing them with more reliable and potentially long-term supplies of woody biomass materials.

There are many other provisions of the Indian Tribal Energy Development and Self-Determination Act of 2011, but the foregoing items are among the more important. Before I conclude, I would like to thank Senator AKAKA, the Chairman of the Committee on Indian Affairs, for his leadership on this issue and for agreeing to cosponsor this bill with me as well as the other Senators who have agreed to join as cosponsors.

In closing, I urge my colleagues to help us expand economic opportunity on tribal trust lands by moving this act expeditiously.

Mr. AKAKA. Mr. President, today I rise in support of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011. I am proud to co-sponsor this bill introduced by my friend, colleague, and Vice Chairman of the Committee on Indian Affairs, Senator JOHN BARRASSO. I applaud his leadership and am proud to call him my full partner in our work on behalf of the Native peoples of the United States. Introduction of the Indian Tribal Energy Development and Self-Determination Act Amendments of 2011 is an important first step. I look forward to hearings on this measure and working with all of my colleagues to increase the ability of Native communities to develop energy resources on their lands and enhance self-determination.

Indian lands hold great potential for traditional and renewable domestic energy production. Responsible development could help decrease our Nation’s dependence on foreign energy sources and create much needed jobs in some of the most impoverished areas of the Nation. Today, Indian reservations make up approximately 5 percent of the United States land base, and it is estimated that those reservations contain about 10 percent of the country’s energy resources. A number of Indian tribes are already working in the areas of traditional and renewable energy production, energy transmission, and energy planning. Yet, successfully tapping into the vast energy reserves in our Nation’s Indian communities remains a difficult and complex task.

It remains challenging for Indian tribes to develop adequate information about their energy resources, to obtain interconnection to the electric transmission grid, and to partner with private entities to engage in energy projects. Congress recognized the potential of tribes to develop energy sources on their lands by enacting tribal provisions in the Energy Policy Act of 2005. However, many of the programs and policies authorized by Title V of the act intended to benefit tribes have not been implemented or have only been partially implemented.

The Committee on Indian Affairs has held a listening session, and we have solicited comments from stakeholders across the spectrum on the issue. Tribes have made it clear they wish to chart their own economic destinies, but that in order to do so modifications are needed to the Energy Policy Act of 2005. The legislation introduced today will address tribal concerns as well as private sector concerns and will help unlock the huge potential of Indian tribal energy development to create jobs, promote tribal self-determination, and decrease our dependence on foreign energy sources.

This bill will set clear deadlines for Secretarial approval and streamline administrative processes related to tribal energy development which will help tribes and the United States “win the future” by enabling development of renewable energy sources from tribal lands.

I encourage all of my colleagues to stand with me and Senator BARRASSO in support of this legislative initiative.

By Ms. MIKULSKI:

S. 1688. A bill to amend the provisions of title 5, United States Code, relating to the methodology for calculating the amount of any Postal surplus or supplemental liability under the Civil Service Retirement System, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. MIKULSKI. Mr. President, I rise to introduce the Save Our Postal Worker Jobs Act.

Even with advances in technology, America relies on the Postal Service

for everything from notes to family back home, birthday cards, medicine, tax returns and absentee voting. The Postal Service binds our nation together through communication. But the Postal Service is facing a financial crisis and it needs Congress to help.

The Save Our Postal Worker Jobs Act is simple. It doesn't restructure the Postal Service, lay off workers, or close Post Offices. It simply gives the Postal Service the authority it needs to take its own money—not taxpayer money—that it overpaid into its employee pension funds to use to help pay its obligations.

This bill is a jobs bill. Many of the plans that have been introduced to keep the U.S. Postal Service financially solvent include provisions to lay off thousands of workers, cut promised benefits, and undermine collective bargaining rights. The Postal Service has talked about reducing its workforce by more than 200,000.

Our postal service employees are on the front lines every day, working hard for America. I want them to know that I am on their side, and I will not let them be scapegoated for financial problems at the Postal Service. Through the dedication and diligence of our postal workers, the mail is delivered across the country through rain or sleet or snow. It is their work that conveys messages to family, brings medicine to our veterans and seniors, and helps our constituents who are away from home on election day have their voices heard.

This bill is about preserving the local Post Office—an important part of a neighborhood's identity and a piece of the fabric of our communities. This bill is about preserving Postal Service delivery—which is so important for rural areas like Western Maryland and the Eastern Shore. Each region has unique geography that can complicate or delay mail delivery. And reductions to the Postal Service could seriously harm those residents.

This bill alone will not solve all of the Postal Service's problems. The process of reforming the Postal Service and bringing it into the 21st Century may mean that some workers will be let go, some Post Offices may close, and some changes may be made to delivery.

Ultimately, this bill is about allowing those decisions to be thoughtfully considered, with time for the Americans who rely on the Postal Service to be heard. It's about avoiding making rash decisions with a crisis hanging over our heads.

It is about saving our postal workers' jobs.

By Mr. McCAIN (for himself, Mr. KYL, Mr. HATCH, Mr. LEE, and Mr. BARRASSO):

S. 1690. A bill to preserve the multiple use land management policy in the State of Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. McCAIN. Mr. President, I am pleased to be joined by my colleagues, Senator KYL, Senator HATCH, Senator LEE and Senator BARRASSO in introducing legislation to prevent the Secretary of the Interior from executing his plan to ban mining on 1 million acres of Federal land in northern Arizona. A companion bill has been introduced by Congressman TRENT FRANKS in the House. The purpose behind this legislation is best outlined in a recent letter that I along with several members of the Senate and House transmitted to the Secretary of the Interior today.

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

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

OCTOBER 12, 2011.

Hon. KEN SALAZAR,
Secretary, U.S. Department of the Interior,
Washington, DC.

DEAR SECRETARY SALAZAR: We are writing to urge you to reconsider moving forward with a proposed 20-year withdrawal of approximately 1 million acres of federal mineral estate in northern Arizona. We predict such a decision, if finalized, would kill hundreds of potential jobs in our states and erode the trust needed for diverse stakeholders to reach agreement on how to protect and manage public lands in the future.

Grand Canyon National Park is an Arizona icon and a natural wonder that attracts visitors from around the world. The Colorado River that flows through the park is the lifeblood of the West, providing drinking water for millions in seven states. We share your desire to protect Grand Canyon National Park and the region's water supplies from adverse environmental effects that may be associated with hardrock mineral exploration and development. We disagree that the proposed withdrawal is necessary to achieve that objective. In our view, the draft Environmental Impact Statement (EIS) on the proposed withdrawal actually demonstrates that uranium mineral development would pose little, if any, threat to the park or water quality in the region. Thus, we are concerned that this proposed withdrawal is more about social agendas and political pressure than about the best available science.

The aspiration on the part of the environmental community to ban all mining activity in the Grand Canyon region is not new. It existed during the last uranium rebound of the late 1970s and early 1980s. The difference is that, back then, the environmental community put their aspirations aside to constructively work with the mining and livestock industries and Congress to reach an historic agreement on wilderness designations and multiple use land policy—an agreement that ultimately became Title III of the Arizona Wilderness Act of 1984 (P.L. 98-406). The Act designated over 1.1 million acres of wilderness on the Arizona Strip while, at the same time, releasing another 540,000 acres of federal land for multiple-use development; how that development would be conducted was left to the land management planning process. The Act is rightfully held up as the gold standard of stakeholder collaboration and bipartisan compromise. Until now, it has allowed sustainable uranium mining to co-exist with the protection of some of our most treasured natural resources. If the decision is made to move forward with the proposed withdrawal, you will be casting aside that historic compromise and ignoring the land

management plans developed through the land management planning process that identify the bulk of the proposed withdrawal area as open to uranium mineral development.

THE LEGISLATIVE HISTORY OF THE ARIZONA WILDERNESS ACT OF 1984

It is important that you review and fully consider the legislative history of the Arizona Wilderness Act of 1984 before making a final decision regarding the proposed withdrawal. At that time, former House Interior Committee chairman, the late Rep. Morris Udall, led the Arizona congressional delegation (including then-Rep. John McCain) in crafting the legislation. The legislative history strongly substantiates that there was a compromise regarding wilderness protection and continued uranium exploration and development on the Arizona Strip. That compromise was originally embodied in a free-standing bill, the Arizona Strip Wilderness Act of 1983 (H.R. 3562). The Arizona Strip Wilderness Act of 1983 was incorporated into the Arizona Wilderness Act of 1984 at Title III. A review of the House committee report (H.Rpt. 98-643, Part 1, pages 34-35) accompanying the bill demonstrates the clear recognition by Congress that the lands not designated as wilderness had significant uranium mineral potential, and that the land-management planning process would govern that future development. It states:

There is also a great desire on the part of the Bureau of Land Management and all the interest groups concerned to lay the wilderness issue to rest. This is particularly true for those companies engaged in uranium exploration and mining, as the current wilderness status of large acreages in the Arizona Strip constitutes an impediment to rational and coordinated exploration and development. Likewise, environmental groups feel that uranium activities should be excluded from certain key areas and that immediate wilderness designation for such areas is far preferable to relying on interim wilderness study protection. To this end, a broad coalition of groups and individuals sat down during the early months of 1983 and worked out an agreement that has since received the support from the Administration, the State of Arizona, the local congressman, both senators and virtually every other interest party of which the Committee is aware. Indeed, the Committee's hearings revealed nearly unanimous support for the Arizona Strip proposal. Accordingly, Title III of H.R. 4707 designates the following Arizona Strip lands as wilderness, and releases certain other lands for such non-wilderness uses as are determined appropriate though the land management planning process.

[T]he Committee has not included these lands in wilderness in recognition of their significant mineral (especially uranium) potential. In leaving these lands open for mineral exploration and potential development, the Committee emphasizes that this is an environmentally sensitive area that should be managed by the Bureau of Land Management to minimize adverse impacts on the current remote and wild values. The Committee understands that the type of mining that will take place here is of a low impact, underground type.

The hearing record on the Arizona Strip Bill is also instructive. It demonstrates that the stakeholders truly believed a "win win" had been struck and were willing to testify in support of the compromise. The following excerpts are taken from the testimony offered on October 21, 1983 on the Arizona Strip Wilderness Act of 1983 before the House Subcommittee on Public Lands and National Parks:

Testimony of Michael D. Scott, Regional Southwest Director, The Wilderness Society.

It [H.R. 3562] is supported by, among others, the mining industry, local government, the livestock industry, and conservationists. This unusual combination of support is not an accident. It represents many months of work at forging a compromise acceptable to the entire range of interests on the Arizona Strip." (Page 296)

At the same time that the Strip emerged as a top conservationist priority, energy companies, most notably Energy Fuels Nuclear (EFN), began to discover significant uranium deposits. As you know, Mr. Chairman, in most cases there are no significant minerals in wilderness or wilderness candidate lands. As unfortunately happens on occasion, some of these significant uranium deposits overlapped with outstanding wildlands in the Strip. Fortunately, EFN, is not a typical hard-rock mining company. Conservationists and EFN decided to discuss those differences. (Page 297)

Statement of Representative Bob Stump.

For many months, several divergent groups, who would usually be viewed as adversaries, have worked together to form a consensus on wilderness designation and multiple use for the Arizona Strip. The legislation which you have before you today is the result of those efforts and is proof positive that give and take on the part of all participants can result in a compromise which will address all concerns. (Page 271)

The key and important factor in this agreement is that it expresses the needs and desires of the ranching, mining, local government, public land managers and environmental communities . . . an example of business interests and environmental concerns working together. (Page 272)

Almost 800,000 acres were included in the Bureau of Land Management Wilderness Study Areas in the Arizona Strip. H.R. 3562 designates approximately 165,996 of those acres as well as 122,604 acres in the Paiute Primitive Area, Paria Primitive Area and Vermillion Cliffs Natural Area, as wilderness. The remaining 620,000 acres or 79% of the BLM Wilderness Study Areas will be released to multiple use. (Page 272)

Testimony of Gerald Grandey, Vice President, Energy Fuels Corporation.

Of what we know today, the Arizona Strip appears to be the only area in the United States that has the potential to produce relatively high grade uranium ore, which even at today's depressed market is capable of competing with foreign sources of the material, such as South Africa, Canada, and Australia. (Page 106)

The benefits to be had from the passage of the Arizona Strip Wilderness Act of 1983 are clear. The wilderness in question will be decided once and for all ending many years of potential controversy and debate. In the areas released to multiple use, our Company and others with active programs in the Arizona Strip will be able to conduct exploration in a cost effective and responsible manner. (Page 284)

Testimony of Russ Butcher, Southwest Regional Representative, National Parks Conservation Association.

It was exactly one year ago that we first met and began talking formally with the top officials of Energy Fuels Nuclear, talking about the company's uranium exploration and mining activities north of the Grand Canyon, and about the relationship of these activities to an array of Federal wilderness study areas. (Page 120)

The proposed withdrawal is a "de facto wilderness" designation; it will unravel decades of responsible resource development on the

Arizona Strip in a misguided effort to "save" the Grand Canyon from the same form of uranium mining that environmental groups once agreed to. Moving forward with the proposed withdrawal will call into question the Department's interpretation of wilderness-release language in other legislation and its commitment to multiple-use policy in the years ahead. If the decision is made to finalize the proposed withdrawal, all future wilderness proposals will assuredly face even greater scrutiny as it will be clear that negotiated agreements, such as those contained in the Arizona Wilderness Act, are neither genuine nor enduring.

Again, we agree that the Grand Canyon deserves to be protected for the enjoyment of future generations. However, moving forward with the proposed withdrawal flies in the face of the legislative history regarding mineral development and responsible land management planning. We strongly urge you to reconsider the proposed withdrawal.

Sincerely,

Signed by: Senator John McCain, Senator Orrin Hatch, Senator Jon Kyl, Senator Mike Lee, Senator John Barroso, Congressman Trent Franks, Congressman Rob Bishop, Congressman Jeff Flake, Congressman David Schweikert, Congressman Paul Gosar, Congressman Ben Quayle, Congressman Jason Chaffetz.

By Mr. BINGAMAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. CRAPO, Mr. WYDEN, Mr. RISCH, Mr. REID, Mr. COCHRAN, Mr. TESTER, Mr. BLUNT, Mrs. FEINSTEIN, Mr. HELLER, Mr. UDALL of New Mexico, Mrs. BOXER, Ms. CANTWELL, Mrs. MURRAY, Mr. BENNET, Mr. MERKLEY, Mr. SANDERS, Mr. JOHNSON of South Dakota, Mr. BEGICH, Mrs. MCCASKILL, Mr. UDALL of Colorado, Mr. FRANKEN, and Mr. LEVIN):

S. 1692. A bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, to provide full funding for the Payments in Lieu of Taxes program, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, today I introduced, along with Senator MURKOWSKI and 22 other Senators S. 1692, the County Payments Reauthorization Act of 2011. The bill would provide dependable funding to support public schools, transportation infrastructure, and other critical county programs in more than 1,900 counties in 49 States. Specifically, it would continue to fund for 5 more years the Payments In Lieu of Taxes Program, and it would reauthorize the Secure Rural Schools and Community Self-Determination Act. The Secure Rural Schools Act expired at the end of September.

Economists have long said that funding for local governments not only provides one of the most efficient and immediate ways to create and save jobs, it also helps to ensure that essential community services on which economic growth depends are maintained. These programs have proven that point in recent years. They have been lifelines for financially strapped rural

counties and the thousands of Americans they employ and they contract with. They employ a multitude of public school teachers, support countless miles of county road projects, fund thousands of collaborative forest and watershed restoration projects, and pay for hundreds of community wildfire risk reduction programs in all parts of the country.

I would like to give one example from my home State of New Mexico. Many of my colleagues may know that the Wallow fire this summer grew to become the largest fire in the history of Arizona. My colleagues may not know that its leading edge burned more than 15,000 acres into New Mexico, and it threatened the community of Luna in Catron County, New Mexico.

When I visited the town of Luna, the community's firefighters told me the wildfire risk reduction projects they had completed using funds from the Secure Rural Schools Program helped to save their town. The funds from this bill also will fund many projects to help their local forests and watersheds and many others around New Mexico to recover from the severe fires that burned there this summer.

Despite the important work these programs support, we recognize that funding these programs is not easy, given the financial circumstance in which we find ourselves. We worked for months to build this strong coalition in the Senate and among the stakeholders in support of these programs across the country. In the process there have been an array of differing views about the details of how these programs should be structured going forward.

For example, recognizing the difficult financial situation in communities around the country and the urgent need to create jobs, some would significantly increase funding for these programs. Others, recognizing the challenging fiscal situation that the Federal Government faces, would sharply reduce funding for these programs. Some would shift the emphasis of the Secure Rural Schools Program to forestry projects such as those covered by titles II and III of that program. Others would shift the emphasis to public schools and to road projects.

But most importantly, there has been broad agreement on the most critical issues. First, there is broad agreement that funding for these two programs is immensely important. Second, there is broad agreement that the only way for us to successfully continue that funding is for us to renew the compromise we negotiated in 2008. Congress overwhelmingly passed that compromise, it has provided funding for these programs for the last 4 years, and our communities have broadly supported it.

The alternative, which seems to have become routine in Congress, is to emphasize our differences and destroy the coalition of support that will be essential to continue funding of these programs.

I greatly appreciate the support and leadership of Senator MURKOWSKI and many others. Let me mention all those who have helped with this bill and who are cosponsoring this effort: Senator BAUCUS, Senator CRAPO, Senator WYDEN, Senator RISCH, Senator REID of Nevada, Senator COCHRAN, Senator TESTER, Senator BLUNT, Senator FEINSTEIN, Senator HELLER, Senator TOM UDALL, Senator BOXER, Senator CANTWELL, Senator MURRAY, Senator BENNET, Senator MERKLEY, Senator SANDERS, Senator TIM JOHNSON, Senator BEGICH, Senator MCCASKILL, Senator MARK UDALL, Senator FRANKEN, and Senator LEVIN—all of whom are cosponsoring this important legislation.

I hope the rest of the Senate will join us once again to support the continuation of these important programs and enact this legislation.

Ms. MURKOWSKI. Mr. President, I rise today to thank Senator BINGAMAN for leading the effort to reauthorize the Secure Rural Schools and Community Self-Determination Act.

Over 100 years ago this Congress passed a law which formed a compact with counties, boroughs and parishes in rural America where the National Forests are located. That compact stipulated that the Forest Service would share 25 percent of its revenues with local governments to support roads and schools.

This agreement was put into law 60 years before the Payment in Lieu of Tax law was written to help compensate counties for the loss of revenue caused by the inability to tax federal property.

Over the years, the Forest Service shared billions of dollars with the counties and, until 1990, the amount of those payments increased almost every year. In fact, the Forest Service sold \$1.6 billion worth of timber in fiscal year 1990. As a result, counties received more than \$402 million in 25 percent payments to support schools and roads.

More importantly, the Forest Service timber sale program in 1990 generated more than 102,000 direct and indirect jobs in areas that now have the highest unemployment rates in the country. Those timber sales generated more than \$5.3 billion—that is billion with a “B” of economic activity and \$800 million in Federal income taxes. Further, revenue from the Forest Service’s timber sale program supported many of the other Forest Service’s multiple-use programs, including recreation, wilderness, road building and maintenance, and fire suppression.

All that changed in 1990 and 1991, when activists used the Endangered Species Act to reduce, and in some instances stop, timber harvesting across the West. If I could wave a magic wand and legislate reforms to the many environmental laws that have been twisted and misconstrued in order to block any development of our natural resources, rather than ensuring responsible decision making by our Federal land management agencies, as Congress intended, I would.

In the long run, I think that is what is needed, and I am convinced that given the economic malaise this country suffers, the American public is beginning to understand the wrongheaded direction our Federal land management has taken over the last two and a half decades.

But I don’t think I can accomplish that in this Congress, and I am compelled to avoid adding any additional pain and suffering to the shoulders of the small rural communities that depend on Secure Rural Schools and Community Self-Determination Act payments. Therefore I am joining Senators BINGAMAN and WYDEN and others in cosponsoring legislation to reauthorize the Secure Rural Schools and Community Self-Determination Act for another 5-year period.

Senator BINGAMAN has fully described the bill, but it reauthorizes the Secure Rural Schools and Community Self-Determination Act at fiscal year 2011 payment levels for 5 more years. We have reduced the annual reduction in payments from the 10 percent level in current law down to a 5-percent annual reduction. Under this plan, counties, parishes, communities and schools will receive up to \$364 million in temporary assistance each year for the next 5 years.

I say “temporary” because this program was, and is, designed to be a short-term bridge to allow counties and communities to transition to the new economic reality that our wrongheaded Federal lands policy has forced upon them.

I want everyone to also understand that while having signed on to this bill I am also considering a number of other alternative solutions that have the promise of generating enough revenue and jobs from Federal land activities to make our counties whole. I am willing to go as far as turning control of some Federal lands over to counties so that they may get some economic benefit from them. But first I will be taking a careful look at Representative HASTINGS’s bill to generate additional resource management by lifting restrictions and expediting the processes needed to offer additional timber sales.

I want everyone to know that if a legitimate, acceptable, offset to pay for the cost of this program is not identified by the time the bill is ready to move to the Senate floor, I will have no alternative but to remove my name from the bill and will have to work to defeat the bill.

I would tell my fellow Senators that the folks in the House Resources Committee are fundamentally correct. We are going to have to either utilize our Federal lands to support our rural communities or we should divest the Federal Government of those lands and let the States, or the counties, manage those lands. I look forward to working with my colleagues in the House to find a path forward for this approach in this and future Congresses.

I will close by speaking directly to the counties, parishes, boroughs and

communities that have now depended on the Secure Rural School program for more than a decade—and for some counties in Oregon, Washington and Northwest California for more than two decades—the Secure Rural Schools Payments are coming to an end. It could be this year if enough people do not rally around the bill that Senator BINGAMAN, I, and our other cosponsors have proposed. It could be 2 years from now if Representative HASTINGS and other Representatives prevail. Or it could be 5 years from now if we find the acceptable offsets needed to pay for our legislative proposal. My fervent hope is that the program will be replaced by a forest management system that actually puts people back to work in the forest, but it’s coming to an end, and the counties and schools need to prepare for that eventuality.

By Mr. LEAHY (for himself, Ms. MIKULSKI, Ms. LANDRIEU, and Mr. CARDIN):

S. 1696. A bill to improve the Public Safety Officers’ Benefits Program; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am pleased to introduce legislation to improve the Public Safety Officers’ Benefits Act, PSOB. This law, enacted in 1976, is a vital safety net for our first responders who are permanently disabled in the line of duty, and for the families of those who make the ultimate sacrifice while serving their fellow citizens.

This legislation, along with several technical refinements to the program, will add certain classes of first responders who, due to gaps in the law, have been left without protection. For example, the bill contains legislation I introduced in the 111th Congress in response to the tragic death of Dale Long, a decorated emergency medical responder in Vermont. The Dale Long Emergency Medical Service Providers Protection Act would protect Mr. Long’s survivors and those who may follow and encounter the same limitations under the current law.

Under current PSOB law, in order to be eligible for benefits, a member of an ambulance crew must work for an organization that is deemed a unit of State or local government, and thus be deemed a public employee. In Dale Long’s case, as with rescue crews across the country, he worked for a private, non-profit entity that nonetheless served his community in a way indistinguishable from an organization with status as a unit of government. Based upon this distinction, Dale Long’s surviving family was ineligible for these benefits. This is unfair, and undermines the Federal policy that is in place to support and protect these men and women. The bill I introduce today would end this disparate treatment.

The legislation also includes a provision to ensure that a cadet officer killed during a dangerous training exercise would be eligible for such benefits. The current law’s weakness in this

area was highlighted in a case in Maryland, during which fire cadet Racheal Wilson was killed during a training exercise. Senator MIKULSKI and Senator CARDIN have been very concerned about this situation, and I commend them for advocating for its inclusion in this legislation.

In the 111th Congress, the Judiciary Committee considered and reported the Dale Long Emergency Medical Service Providers Protection Act by voice vote. Despite the Committee's work, and the process and debate it was afforded within the Committee, the bill was objected to when I tried to get Senate consideration. This was very disappointing, given the importance of this legislation to first responders around the country, and given the fact that the legislation was fully offset.

This year, I once again introduced the Dale Long Emergency Medical Service Providers Protection Act. During the Senate's debate in February on the FAA Air Transportation Modernization and Safety Improvement Act, I worked closely with Senator INHOFE to propose an amendment that included both the Dale Long Emergency Medical Service Providers Protection Act and a proposal from Senator INHOFE to support those who volunteer their time and expertise as airplane pilots to help those in need. Our bipartisan amendment was adopted by voice vote.

During the course of the subsequent conference negotiations on the FAA authorization legislation, I worked closely with Chairman ROCKEFELLER and House Judiciary Committee Chairman LAMAR SMITH to ensure that our bipartisan amendment was retained in the conference agreement. During the course of these negotiations, Chairman SMITH proposed to expand the Dale Long Emergency Medical Service Providers Protection Act to include other changes to the current PSOB law.

For example, Chairman SMITH proposed a refinement of the Hometown Heroes law, a law that I authored and which was enacted in 2003. I worked with firefighters, police officers, and first responders to make sure that what Chairman SMITH had proposed would not only retain the spirit and intent of the original Hometown Heroes law, but, most importantly, would improve upon it to alleviate some of the administrative delays that the families of first responders had encountered in the past. This refined proposal is included in the bill.

The bill I introduce today also includes provisions to lessen the length of a currently unwieldy appeals process for claimants, clarify the list of eligible survivor beneficiaries, and make those who have been catastrophically injured eligible for peer support and counseling programs. It also removes artificial distinctions under the Hometown Heroes Act to expand the types of injuries that would make a public safety officer's survivors eligible for benefits.

The final version of the legislation to which Chairman SMITH and I agreed represents a bipartisan compromise on the overall improvement of this important program. I appreciate Chairman SMITH's willingness to work with me in support of this program, and the first responders for whom the law is intended to protect. I understand that our agreement was to be incorporated in the FAA conference report.

Unfortunately, the future for a conference agreement on the FAA legislation is unclear. Each day that passes is another day that Mr. Long's family, and others who would benefit from this legislation, must live without the assistance this benefit provides. The Public Safety Officers' Benefits Act has been in effect for over 30 years, and has brought a measure of security to survivors of fallen first responders. In 1990, Congress continued this tradition and acted again to ensure that those first responders who have been permanently disabled in the line of duty are taken care of. This longstanding policy is reflective of Congress' recognition of the importance and necessity of the men and women who commit themselves as firefighters, police officers, and medical responders.

It is difficult to imagine what communities across America would be like without these essential services. From the firefighters in Vermont who race to the scene of a rural fire during a cold winter night, to the ambulance crews providing emergency medical services following a natural disaster in Oklahoma, our dedicated first responders are all connected by their sense of duty and their selflessness in the service of their neighbors. In Congress, lawmakers have traditionally acted in support of these men and women irrespective of party and we should continue that great tradition. I hope the Senate will act quickly to pass this important bill.

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

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

S. 1696

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Safety Officers' Benefits Improvements Act of 2011".

SEC. 2. BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS AND CERTAIN TRAINEES; MISCELLANEOUS AMENDMENTS.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 901(a) (42 U.S.C. 3791(a))—

(A) in paragraph (26), by striking "and" at the end;

(B) in paragraph (27), by striking the period at the end and inserting "and"; and

(C) by adding at the end the following:

"(28) the term 'hearing examiner' includes any medical or claims examiner.";

(2) in section 1201 (42 U.S.C. 3796)—

(A) in subsection (a), by striking "follows:" and all that follows and inserting the following: "follows (if the payee indicated is living on the date on which the determination is made)—"

"(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

"(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;

"(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

"(4) if there is no surviving spouse of the public safety officer and no surviving child—

"(A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public safety officer on file at the time of death with the public safety agency, organization, or unit; or

"(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

"(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or

"(6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal shares) who would qualify under the definition of the term 'child' under section 1204 but for age.";

(B) in subsection (b)—

(i) by striking "direct result of a catastrophic" and inserting "direct and proximate result of a personal";

(ii) by striking "pay," and all that follows through "the same" and inserting "pay the same";

(iii) by striking "in any year" and inserting "to the public safety officer (if living on the date on which the determination is made)";

(iv) by striking "in such year, adjusted" and inserting "with respect to the date on which the catastrophic injury occurred, as adjusted";

(v) by striking ", to such officer";

(vi) by striking "the total" and all that follows through "For" and inserting "for"; and

(vii) by striking "That these" and all that follows through the period, and inserting "That the amount payable under this subsection shall be the amount payable as of the date of catastrophic injury of such public safety officer.";

(C) in subsection (f)—

(i) in paragraph (1), by striking "as amended (D.C. Code, sec. 4-622); or" and inserting a semicolon;

(ii) in paragraph (2)—

(I) by striking ". Such beneficiaries shall only receive benefits under such section 8191 that" and inserting "such that beneficiaries shall receive only such benefits under such section 8191 as"; and

(II) by striking the period at the end and inserting "or"; and

(iii) by adding at the end the following:

“(3) payments under the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107-42).”;

(D) by amending subsection (k) to read as follows:

“(k) As determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

“(1) the public safety officer, while on duty—

“(A) engages in a situation involving non-routine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

“(B) participates in a training exercise involving nonroutine stressful or strenuous physical activity;

“(2) the heart attack, stroke, or vascular rupture commences—

“(A) while the officer is engaged or participating as described in paragraph (1);

“(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

“(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); and

“(3) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer, unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation or was directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors.”; and

(E) by adding at the end the following:

“(n) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or executed life insurance policy for purposes of subsection (a)(4) shall maintain the confidentiality of the designation or policy in the same manner as the agency, organization, or unit maintains personnel or other similar records of the public safety officer.”;

(3) in section 1202 (42 U.S.C. 3796a)—

(A) by striking “death”, each place it appears except the second place it appears, and inserting “fatal”; and

(B) in paragraph (1), by striking “or catastrophic injury” the second place it appears and inserting “, disability, or injury”;

(4) in section 1203 (42 U.S.C. 3796a-1)—

(A) in the section heading, by striking “**WHO HAVE DIED IN THE LINE OF DUTY**” and inserting “**WHO HAVE SUSTAINED FATAL OR CATASTROPHIC INJURY IN THE LINE OF DUTY**”; and

(B) by striking “who have died in the line of duty” and inserting “who have sustained fatal or catastrophic injury in the line of duty”;

(5) in section 1204 (42 U.S.C. 3796b)—

(A) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(B) by inserting before paragraph (2), as so redesignated, the following:

“(1) ‘candidate-officer’ means an individual who is officially enrolled or admitted, as a cadet or trainee, in an officially recognized, formal program of instruction or training (such as a police or fire academy) that is solely and specifically intended to result, directly or immediately upon completion, in—

“(A) commissioning as a law enforcement officer;

“(B) conferral of authority to engage in fire suppression (as an officer or employee of a public fire department or as an officially

recognized or designated member of a legally organized volunteer fire department); or

“(C) the granting of official authorization or license to engage in rescue activity or in the provision of emergency medical services as a member of a rescue squad or ambulance crew that is (or is a part of) the agency or entity sponsoring the enrollment or admission of the individual.”;

(C) in paragraph (2), as so redesignated, by striking “consequences of an injury that” and inserting “an injury, the direct and proximate consequences of which”;

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

(i) in the matter preceding clause (i)—

(I) by inserting “or permanently and totally disabled” after “deceased”; and

(II) by striking “death” and inserting “fatal or catastrophic injury”; and

(ii) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively;

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

(i) by striking “post-mortem” each place it appears and inserting “post-injury”; and

(ii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(F) in paragraph (8), as so redesignated, by striking “public employee member of a rescue squad or ambulance crew;” and inserting “employee or volunteer member of a rescue squad or ambulance crew (including a ground or air ambulance service) that—

“(i) is a public agency; or

“(ii) is (or is a part of) a nonprofit entity serving the public that—

“(I) is officially authorized or licensed to engage in rescue activity or to provide emergency medical services; and

“(II) is officially designated as a prehospital emergency medical response agency.”; and

(G) in paragraph (10), as so redesignated—

(i) in subparagraph (A), by striking “as a chaplain, or as a member of a rescue squad or ambulance crew;” and inserting “or as a chaplain.”;

(ii) in subparagraph (B)(ii), by striking “or” after the semicolon;

(iii) in subparagraph (C)(ii), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

“(D) a member of a rescue squad or ambulance crew who, as authorized or licensed by law and by the applicable agency or entity (and as designated by such agency or entity), is engaging in rescue activity or in the provision of emergency medical services; or

“(E) a candidate-officer who is engaging in an activity or exercise—

“(i) that is a formal or required part of the program described in paragraph (1); and

“(ii) that poses or is designed to simulate situations that pose significant dangers, threats, or hazards.”;

(6) in section 1205 (42 U.S.C. 3796c), by adding at the end the following:

“(d) Unless expressly provided otherwise, any reference in this part to any provision of law not in this part shall be understood to constitute a general reference under the doctrine of incorporation by reference, and thus to include any subsequent amendments to the provision.”;

(7) in each of subsections (a) and (b) of section 1212 (42 U.S.C. 3796d-1), sections 1213 and 1214 (42 U.S.C. 3796d-2 and 3796d-3), and subsections (b) and (c) of section 1216 (42 U.S.C. 3796d-5), by striking “dependent” each place it appears and inserting “person”;

(8) in section 1212 (42 U.S.C. 3796d-1)—

(A) in subsection (a)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “Subject” and all that follows through “, the” and inserting “The”; and

(ii) in paragraph (3), by striking “reduced by” and all that follows through “(B) the

amount” and inserting “reduced by the amount”;

(B) in subsection (c)—

(i) in the subsection heading, by striking “DEPENDENT”; and

(ii) by striking “dependent”;

(9) in section 1213(b)(2) (42 U.S.C. 3796d-2(b)(2)), by striking “dependent’s” each place it appears and inserting “person’s”;

(10) in section 1216 (42 U.S.C. 3796d-5)—

(A) in subsection (a), by striking “each dependent” each place it appears and inserting “a spouse or child”; and

(B) by striking “dependents” each place it appears and inserting “a person”; and

(11) in section 1217(3)(A) (42 U.S.C. 3796d-6(3)(A)), by striking “described in” and all that follows and inserting “an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 402(1)(4)(C) of the Internal Revenue Code of 1986 is amended—

(1) by striking “section 1204(9)(A)” and inserting “section 1204(10)(A)”; and

(2) by striking “42 U.S.C. 3796b(9)(A)” and inserting “42 U.S.C. 3796b(10)(A)”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS; DETERMINATIONS; APPEALS.

The matter under the heading “PUBLIC SAFETY OFFICERS BENEFITS” under the heading “OFFICE OF JUSTICE PROGRAMS” under title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 1912; 42 U.S.C. 3796c-2) is amended—

(1) by striking “decisions” and inserting “determinations”;

(2) by striking “(including those, and any related matters, pending)”;

(3) by striking the period at the end and inserting the following: “: *Provided further*, That, on and after the date of enactment of the Public Safety Officers’ Benefits Improvements Act of 2011, as to each such statute—

“(1) the provisions of section 1001(a)(4) of such title I (42 U.S.C. 3793(a)(4)) shall apply;

“(2) payment shall be made only upon a determination by the Bureau that the facts legally warrant the payment;

“(3) any reference to section 1202 of such title I shall be deemed to be a reference to paragraphs (2) and (3) of such section 1202; and

“(4) a certification submitted under any such statute may be accepted by the Bureau as prima facie evidence of the facts asserted in the certification:

Provided further, That, on and after the date of enactment of the Public Safety Officers’ Benefits Improvements Act of 2011, no appeal shall bring any final determination of the Bureau before any court for review unless notice of appeal is filed (within the time specified herein and in the manner prescribed for appeal to United States courts of appeals from United States district courts) not later than 90 days after the date on which the Bureau serves notice of the final determination: *Provided further*, That any regulations promulgated by the Bureau under such part (or any such statute) before, on, or after the date of enactment of the Public Safety Officers’ Benefits Improvements Act of 2011 shall apply to any matter pending on, or filed or accruing after, the effective date specified in the regulations, except as the Bureau may indicate otherwise.”.

SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any matter pending, before the Bureau of Justice Assistance or otherwise, on the date of enactment of this Act, or filed or accruing after that date.

(b) EXCEPTIONS.—

(1) RESCUE SQUADS AND AMBULANCE CREWS.—For a member of a rescue squad or ambulance crew (as defined in section 1204(8) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this Act), the amendments made by this Act shall apply to injuries sustained on or after June 1, 2009.

(2) HEART ATTACKS, STROKES, AND VASCULAR RUPTURES.—Section 1201(k) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this Act, shall apply to heart attacks, strokes, and vascular ruptures sustained on or after December 15, 2003.

(3) CANDIDATE-OFFICERS.—For a candidate-officer (as defined in section 1204(1) of the title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this Act), the amendments made by this Act shall apply to injuries sustained on or after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 291—RECOGNIZING THE RELIGIOUS AND HISTORICAL SIGNIFICANCE OF THE FESTIVAL OF DIWALI

Mr. MENENDEZ (for himself, Mr. CORNYN, and Mr. WARNER) submitted the following resolution, which was referred to the Committee on the Judiciary:

S. RES. 291

Whereas Diwali, a festival of great significance to Indian Americans and South Asian Americans, is celebrated annually by Hindus, Sikhs, and Jains throughout India, the United States, and the world;

Whereas Diwali is a festival of lights, during which celebrants light small oil lamps, place the lamps around the home, and pray for health, knowledge, peace, wealth, and prosperity in the new year;

Whereas the lights symbolize the light of knowledge within the individual that overweighs the darkness of ignorance, empowering each celebrant to do good deeds and show compassion to others;

Whereas Diwali falls on the last day of the last month in the lunar calendar and is celebrated as a day of thanksgiving for the homecoming of the Lord Rama and worship of Lord Ganesha, the remover of obstacles and bestower of blessings, at the beginning of the new year for many Hindus;

Whereas for Sikhs, Diwali is celebrated as Bandhi Chhor Diwas (The Celebration of Freedom), in honor of the release from prison of the sixth guru, Guru Hargobind; and

Whereas for Jains, Diwali marks the anniversary of the attainment of moksha, or liberation, by Mahavira, the last of the Tirthankaras (the great teachers of Jain dharma), at the end of his life in 527 B.C.: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the religious and historical significance of the festival of Diwali; and

(2) in observance of Diwali, the festival of lights, expresses its deepest respect for Indian Americans and South Asian Americans, as well as fellow countrymen and diaspora throughout the world on this significant occasion.

SENATE RESOLUTION 292—DESIGNATING THE WEEK BEGINNING OCTOBER 16, 2011, AS “NATIONAL CHARACTER COUNTS WEEK”

Mr. GRASSLEY (for himself, Mr. ROCKEFELLER, Mr. PRYOR, Mr. ALEX-

ANDER, Mrs. MURRAY, Mr. BROWN of Ohio, Mr. COCHRAN, Mr. ENZI, Mr. LIEBERMAN, and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. RES. 292

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of “National Character Counts Week”, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 16, 2011, as “National Character Counts Week”; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, October 13, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “Carceri Crisis: The Ripple Effect on Jobs, Economic Development and Public Safety in Indian Country.”

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

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, October 20, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a meeting on S. 1262, the Native Culture, Language, and Access for Success in Schools Act to be followed immediately by a hearing on the following bills: S. 134, Mescalero Apache Tribe Leasing Authorization Act; S. 399, Blackfeet Water Rights Settlement Act of 2011; S. 1327, A bill to amend the Act of March 1, 1933, to transfer certain authority and resources to the Utah Dineh Corporation, and for other purposes; and S. 1345, Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act.

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

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 12, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, “Universal Service Reform—Bringing Broadband to All Americans.”

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 12, 2011, at 2:15 p.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on October 12, 2011, directly after the business meeting scheduled for 2:15 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled "The State of Chronic Disease Prevention," on October 12, 2011, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 12, 2011, at 10:30 a.m. to conduct a hearing entitled "Ten Years After 9/11: A Status Report on Information Sharing."

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

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on October 12, 2011, immediately after the first vote, off the Senate floor.

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

SPECIAL COMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on October 12, 2011, at 2 p.m. in room 562 of the Dirksen Senate Office Building, to conduct a hearing entitled "A Time for Solutions: Finding Consensus in the Medicare Reform Debate."

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that the following members of Senator BAUCUS's staff be granted floor privileges during the consideration of the Colombia, Panama, and South Korea Free Trade Agreement legislation: Jane Beard, Sarah Babcock, Danielle Fidler, Laura Jaskierski, Stephen Simpson, Jonathan Goldman, Nick Malinak, and Cosimo Thawley.

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

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Rose Fennell, who is a National Park Service fellow working on the staff of the Committee on Energy and Natural Resources be granted the privilege of the floor for today's session.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that Eli Zupnick, Alex Glass, Paula Burg, Matt McAlvanah, Moire Duggan, Shawn Bills, Adam Goodwin, Zach Mallove, Lauren Overman, and Evan Schatz, members of my staff, be granted the privilege of the floor for the remainder of today's session.

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

NATIONAL LIFE INSURANCE
AWARENESS MONTH

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent the Banking Committee be discharged from further consideration of S. Res. 270 and the Senate proceed to its immediate consideration.

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. 270) supporting the goals and ideals of "National Life Insurance Awareness Month."

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

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent 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 any related statements be printed in the RECORD.

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

The resolution (S. Res. 270) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 270

Whereas the vast majority of people in the United States recognize that life insurance is important to protecting their loved ones;

Whereas the life insurance industry pays approximately \$60,000,000,000 to beneficiaries each year, providing a tremendous source of financial relief and security to families that experience the loss of a loved one;

Whereas, as of the date of agreement to this resolution, the unfortunate reality is that approximately 95,000,000 adults in the United States have no life insurance, and ownership of both individual and employer-sponsored life insurance has declined in recent years;

Whereas life insurance products protect against the uncertainties of life by enabling individuals and families to manage the financial risks of premature death, disability, and long-term care;

Whereas individuals, families, and businesses can benefit from professional insurance and financial planning advice, including an assessment of their life insurance needs; and

Whereas numerous groups supporting life insurance have designated September 2011 as "National Life Insurance Awareness Month" as a means to encourage consumers to become more aware of their life insurance needs, seek advice from qualified insurance professionals, and take the actions necessary

to achieve financial security for their loved ones: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of "National Life Insurance Awareness Month"; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

NATIONAL CHARACTER COUNTS
WEEK

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 292, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 292) designating the week beginning October 16, 2011, as "National Character Counts Week."

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

Mr. UDALL of Colorado. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 292) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 292

Whereas the well-being of the United States requires that the young people of the United States become an involved, caring citizenry of good character;

Whereas the character education of children has become more urgent, as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the United States;

Whereas effective character education is based on core ethical values, which form the foundation of a democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of society, and, therefore, every adult has the responsibility to teach and model ethical values and every social institution has the responsibility to promote the development of good character;

Whereas Congress encourages individuals and organizations, especially those that have an interest in the education and training of the young people of the United States, to adopt the elements of character as intrinsic to the well-being of individuals, communities, and society;

Whereas many schools in the United States recognize the need, and have taken steps, to integrate the values of their communities into their teaching activities; and

Whereas the establishment of “National Character Counts Week”, during which individuals, families, schools, youth organizations, religious institutions, civic groups, and other organizations focus on character education, is of great benefit to the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning October 16, 2011, as “National Character Counts Week”; and

(2) calls upon the people of the United States and interested groups—

(A) to embrace the elements of character identified by local schools and communities, such as trustworthiness, respect, responsibility, fairness, caring, and citizenship; and

(B) to observe the week with appropriate ceremonies, programs, and activities.

ORDERS FOR THURSDAY, OCTOBER 13, 2011

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, October 13, 2011; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 12 p.m., 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 30 minutes and the majority controlling the second 30 minutes; and that at 12 p.m. the Senate proceed to executive session to consider Calendar Nos. 251, 252, and 253, under the previous order.

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

PROGRAM

Mr. UDALL of Colorado. Mr. President, we expect two rollcall votes at approximately 2 p.m. tomorrow on judicial nominations.

Additionally, there is a joint meeting of Congress with the President of Korea at 4 p.m. tomorrow. Senators will gather in the Senate Chamber at 3:40 p.m. to proceed to the House together.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. UDALL of Colorado. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8:41 p.m., adjourned until Thursday, October 13, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PAUL W. HODES, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016. (NEW POSITION)

NATIONAL TRANSPORTATION SAFETY BOARD

ROBERT L. SUMWALT III, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2016. (RE-APPOINTMENT)

DEPARTMENT OF STATE

ELIZABETH M. COUSENS, OF WASHINGTON, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

ELIZABETH M. COUSENS, OF WASHINGTON, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:
 JAMES A. BEVER, OF VIRGINIA
 DEBORAH K. KENNEDY—IRAHETA, OF VIRGINIA
 SUSAN G. REICHEL, OF VIRGINIA
 PAUL E. WEISENFELD, OF MARYLAND
 CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER COUNSELOR:
 WILLIAM R. BRANDS, OF VIRGINIA
 THOMAS R. DELANEY, OF PENNSYLVANIA
 T. CHRISTOPHER MILLIGAN, OF THE DISTRICT OF COLUMBIA
 BETH S. PAIGE, OF TEXAS
 ALEXANDRIA L. PANEHAL, OF VIRGINIA
 PATRICIA L. RADER, OF MARYLAND
 MAUREEN A. SHAUKET, OF THE DISTRICT OF COLUMBIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:
 R. DOUGLASS ARBUCKLE, OF FLORIDA
 DAVID C. ATTEBERRY, OF FLORIDA
 REBECCA RANDOLPH WALLACE BLACK, OF NEW MEXICO

DERRICK S. BROWN, OF FLORIDA
 CHRISTINE M. BYRNE, OF VIRGINIA
 ANTHONY S. CHAN, OF VIRGINIA
 KIRK M. DAHLGREN, OF FLORIDA
 ALEXANDRE DE PREZ, SR., OF FLORIDA
 CARL BRANDON DERRICK, OF VIRGINIA
 AZZA EL-ABD, OF THE DISTRICT OF COLUMBIA
 NANCY L. ESTES, OF FLORIDA
 STEPHANIE A. FUNK, OF FLORIDA
 JAMES LAURENCE GOGGIN, OF NEW MEXICO
 CAREY NATHANAL GORDON, OF FLORIDA
 MICHAEL J. GREENE, OF MARYLAND
 CAROL J. HORNING, OF VIRGINIA
 GARY C. JUSTE, OF FLORIDA
 NEIL McDONALD KESTER, OF FLORIDA
 NATHAN S. LOKOS, OF VIRGINIA
 SHEILA M. LUTJENS, OF FLORIDA
 KATHLEEN S. McDONALD, OF THE DISTRICT OF COLUMBIA
 ERIN ELIZABETH MCKEE, OF CALIFORNIA
 ALFRED M. NAKATSUMA, OF CALIFORNIA
 JOHN R. POWER, OF MINNESOTA
 DIANA BRITON PUTMAN, OF CONNECTICUT
 R. THOMAS RAY, OF FLORIDA
 FREDERIC G. SCOTT, OF THE DISTRICT OF COLUMBIA
 KRISTINE SMATHERS, OF CALIFORNIA
 ELIZABETH BANCROFT WARFIELD, OF MARYLAND
 A.J. ALONZO WIND, OF VIRGINIA
 JOHN MARK WINFIELD, OF MARYLAND

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER OF THE UNITED STATES COAST GUARD TO THE POSITION OF COAST GUARD BAND DIRECTOR IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 336:

To be captain

KENNETH W. MEGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211(A)(2):

To be commander

JENNIFER A. KETCHUM

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GARY R. ALLEN
 ANDREW M. HARRIS
 ROBERT W. LESHNER
 JOHN A. PAPILE, JR.
 ORAN L. ROBERTS

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

PATRICK A. BARNETT
 CHARLES T. CROSBY
 MARK D. DROWN
 BRUCE D. FARRELL
 KERRY W. GOODMAN
 ROBERT D. GUADSMITH
 LYNN M. HENG
 JAMES W. HILLIARD
 PAUL E. LIPPSTOCK
 KEVIN D. LYONS
 JOHN J. MORRIS
 MARTIN K. MOTE
 WILLIAM J. PRENDERGAST IV
 ELLEN J. REILLY
 TROY W. ROSS
 WILLIAM R. SPRAY
 JEFFREY P. VAN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DAVID S. FUCHS, JR.

THE FOLLOWING NAMED OFFICERS IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

DANIEL J. TRAUB

To be lieutenant commander

KURT A. MICHAELIS
 WILLIAM N. SOLOMON