



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157

WASHINGTON, FRIDAY, SEPTEMBER 9, 2011

No. 133

Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

O God, full of compassion and love, Your voice is over the waters, full of majesty, so we give You the glory due to Your Name. As we approach another 9/11 anniversary, with threats of terror in the air, give strength to Your people and bless us with Your peace. Remind us that though we cannot always prevent tragedies, we can choose to respond to them with faith and trust in You.

Lord, bless our Senators in their labors today. Empower them with Your presence, sustain them with Your spirit, encourage them with Your word, and renew them with Your grace. You, O God, are our strength and our sure defense.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 9, 2011.

To the Senate:

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

appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in morning business. During that period of time, Senators will be allowed to speak for up to 10 minutes each. There will be no votes today.

I am working with the House to find out what they can work with us on. We know we have the FAA bill, which expires next Friday. The highway bill expires at the end of this month. Those are the two primary issues we are working on, in addition to the FEMA problems we have in Virginia and around the rest of the country. We are going to make a decision today on what we will move forward on, but I need to hear from the House first.

AMERICAN JOBS ACT

Mr. REID. Mr. President, I applaud the bipartisan approach taken by the President last night regarding his jobs act. He described it and described it well. It is really a commonsense plan, and this plan will be a tax cut for middle-class families and even small businesses. It will put laid-off teachers and first responders back to work. It will send construction workers to jobsites around the country to renovate schools and to build roads and bridges. It will also ensure that Iraq and Afghan veterans who have returned from serving

their country come home to a job. It will also help Americans who have been unemployed for far too long keep their families afloat while they look for jobs.

Reagan Republicans would have embraced this reasonable, commonsense approach, the so-called American Jobs Act. All the ideas in this legislation have been supported by Democrats and Republicans in years past. Some of the ideas originally came from Republicans.

This jobs plan won't add a single penny to the deficit. In fact, we all know reducing unemployment is the fastest way to reducing the debt.

I urge reasonable Republicans to resist the voices of the tea party and others who would oppose this legislation and root for our economy to fail. It is sad that they do, but they do, and they do it for political reasons. They should see that this proposal is made up of bipartisan ideas, supported in the past by Members of both parties. They must not continue to bow to the tea party Republicans, who are willing to do anything to hurt the President. Instead of hurting the President, they are causing a tea party recession. We cannot allow their radical political agenda to crowd out America's jobs agenda.

The uncertainty of this summer—the fight over whether to default on our financial obligations and a shocking credit downgrade—has rocked an economy that was already shaky. But this fall and this legislation offer us an opportunity to set the American economy back on the right track, and we need to do that.

I look forward to studying the President's bill. The Senate will begin debate on this proposal as soon as possible. I know not every Republican will support this legislation, and I know not every Democrat will support all aspects of the legislation, but it is a good piece of legislation, and we need to work together. I look forward to an open, honest, and respectful debate. So I hope my Republican colleagues will

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



Printed on recycled paper.

S5471

contribute constructively to this process in the coming weeks rather than resorting to the obstructionist tactics which have so dominated Washington for the last 8 months. I hope a new day of compromise is dawning.

REMEMBERING 9/11

Mr. REID. Mr. President, on the eve of September 11, I would ask that we all remember this: The challenges we face as a Nation, whether threats to our security or to our economic security, are the same. Our Nation's security and our economic security are tied together.

This Sunday, my fellow Nevadans and I and the rest of the Nation will join in a remembrance to the tragic events of that fateful day 10 years ago, and we will mourn the thousands of innocent lives lost in New York, Pennsylvania, and Virginia. We will never forget the events of that Tuesday morning, which dawned so clear. It was a bright blue sky that ended gloomy and dark.

But we should also remember the spirit of unity and determination that blossomed amidst the darkness of that day. In the weeks and months that followed, we were not Democrats and Republicans, liberals and conservatives, red States and blue States, we were Americans. Beneath the partisanship of Washington, that is as true today as it was 10 years ago. It doesn't mean we will not disagree. In fact, the same freedom that allows us to disagree is also the root of our democracy. But it does mean we must work together in the best interests of this great Nation and in the interests of every man or woman who calls America home, no matter how difficult.

Today, the greatest challenge facing this Nation is putting 14 million Americans back to work and returning some prosperity to our economy. I look forward to tackling that challenge as one Nation. We need to join together in that cause.

Mr. President, would you announce the business of the day.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senate will now be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

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

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

Mr. HATCH. Mr. President, I yield to the distinguished Senator from Tennessee and without losing my right to the floor, I ask unanimous consent that I be allowed to make my remarks immediately thereafter.

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

THE ECONOMY

Mr. CORKER. Mr. President, I certainly appreciate the courtesy of the Senator from Utah. I will be very brief. I will actually be propitious in many ways. I am here at a time when the Senator from Virginia is the Presiding Officer.

Last night there was a focus on a short-term stimulus. I wish to thank the Senator from Virginia and the Senator from Georgia who have led efforts over the course of the last many months to focus on trying to deal with our longer term issues. I think there are many of us in this body, as well as in the House of Representatives, who believe the best way for us to deal with our short-term economic situation is to deal with the long-term structural issues that are affecting our country so much.

So I am here today to express hope and to say I feel a tremendous consensus building. I know the Presiding Officer and I were in a meeting earlier this week where I think there was demonstrated a lot of consensus by Republicans and Democrats in the Senate toward using this supercommittee and encouraging the supercommittee. There was tremendous optimism expressed about what this supercommittee is getting ready to do. But we wish to encourage them to look at a number of deficit reduction ideas which may be twice or even more than the original charge and, secondarily, to encourage them to use this tremendous opportunity for tax reform, much like was laid out in many of the Bowles-Simpson concepts, and to have Medicare entitlement reform as part of that; and, thirdly—and this is me speaking individually, although I think there is consensus building around this too—to do something longer term as it relates to infrastructure, such as having a 6-year highway bill. I feel that momentum building in the House. I think it exists in the Senate.

The reason I am on the Senate floor today is to say one thing. We have a tremendous opportunity to deal with our long-term issues which will immediately affect our economy now and stimulate it, if we will do that. I hope what we will not do is become sidetracked on issues that are more around the edges, more around the fringe, issues that are short-term in nature. The Presiding Officer, who has created jobs in his lifetime, and I have done the same thing in my lifetime, and I under-

stand it is important to create a long-term environment where people have confidence that we have actually dealt with this country's problems. There is nothing—nothing—that could be more stimulative in the short term than for people to see that this body and the body across the way on the other side of the Capitol have dealt with these issues in an appropriate way.

I am encouraging us to stay focused, to stay focused on the supercommittee, to continue to encourage them to do even more than what is their charge. I think there is a lot of consensus around that, and I am thankful to be a part of that encouragement.

With that, Mr. President, I yield the floor and thank again the senior Senator from Utah for his tremendous courtesy and certainly his leadership on so many of these issues. I thank the Senator very much.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. HATCH. Mr. President, I thank my colleague. He is one of the more prescient people in this body, and we all care a great deal for him. I appreciate his leadership in this great body.

REMEMBERING 9/11

Mr. HATCH. Mr. President, I remember September 11, 2001, as if it were yesterday. I was here in my office at my desk when the unthinkable happened. I remember driving to the Senate that morning thinking it was such a beautiful day. It was a crisp fall morning with a remarkable blue sky. Over the years, I have often wondered how such resplendence could occur amid such evil and suffering. I take solace in knowing that nearly 3,000 innocent victims, including 3 Utahns, hopefully touched the face of God that day.

Yet since that horrible day, Americans have once again risen to the challenge. As President George W. Bush said 3 months after the attacks:

Our enemies have made the mistake that America's enemies always make. They saw liberty and thought they saw weakness.

But 10 years on, Americans have shown, once again, our resolve can never be broken. When confronted by evil, we will not yield.

I remember on that day I came over here to the Senate, and we were told to evacuate the Capitol. As we walked out—some running as fast as they could—and walked down the steps of the Senate side of the Capitol, I turned around and saw that Senator Helms was back up on the veranda, and he was having difficulties, as he did in his later years, with ambulation, and I walked back up the steps, and he leaned on my arm as we came down the steps and were among the last to leave the Capitol at that time. We were warned there might be a plane flying into the Capitol or into the White House, and it was a matter of great concern to everybody.

But 10 years later, as I have said, Americans have once again shown the

resolve that is necessary. We have confronted evil, and we will continue to do so, and we will never yield.

We, as a nation, continue to stand up to this threat and we have done much to overcome it. But we should never become complacent.

As the 9/11 Commission's recent report card on the implementation of its recommendations clearly shows, we have made important advances in securing the homeland, but a lot of work needs to be accomplished.

Some of the most profound changes, and also some of the least understood, have occurred in our intelligence community. For example, the 16 different agencies which constitute our intelligence community are collaborating as never before. Part of that is because of the PATRIOT Act, which requires that type of collaboration. The PATRIOT Act has worked very well, and even though there are some on the far right and the far left who do not accept the PATRIOT Act, I have to tell you it has worked amazingly well in helping us to protect our homeland.

As the Commission pointed out, collaboration in the intelligence community was essential to the success of the raid which killed Osama bin Laden. That was 10 years later, but it sent a message to the world that we are not going to quit until we find these people, root them out, and get rid of them.

In addition, I also believe our Nation is much safer due to the Terrorist Surveillance Program. The Terrorist Surveillance Program enables our intelligence agencies to monitor international communications from al-Qaida. This initiative has been the subject of much debate in Congress. However, the legislative compromise which was reached, I believe, strikes a proper balance by permitting our intelligence agencies to operate in an efficient manner while strengthening the oversight role of the Foreign Intelligence Surveillance Court, which has worked amazingly well.

However, the need for improvements still remains. The Commission notes that over the past 6 years we have had four Directors of National Intelligence. As many managers would agree, such leadership changes will disrupt the implementation of any organization's modernization strategy. Yet in the realm of counterterrorism, the slightest misstep could be exploited by our foes to launch another attack.

Other areas which require immediate attention include securing our borders. An important tool in helping us verify the identity of visitors to the United States is our biometric entry system, called US-VISIT. Unfortunately, the security offered by this system is incomplete. As the Commission pointed out, US-VISIT does not yet have a fully operational system to record when visitors leave our Nation. Such a capability is not only useful in tracking terrorists but is also an important capability in stemming illegal immigration.

That is why I have introduced S. 332, the Strengthening Our Commitment to Legal Immigration and America's Security Act. This bill requires the Secretary of Homeland Security to create a mandatory exit procedure for foreign visitors to our country, the United States of America. Unfortunately, my optimism regarding Afghanistan, the planning ground and safe haven for those who plotted the attacks of September 11, has somewhat receded.

The surge of forces has led to great gains in the southern Afghan provinces of Helmand and Kandahar. This is the heartland of the Taliban. According to GEN David Rodriguez, who until recently was our Deputy Commander in Afghanistan, the Taliban "enjoyed near total control" of these areas as recently as 2009. Moreover, our additional forces enabled the implementation of a robust counterinsurgency strategy. This means we had sufficient forces not only to clear an area of the Taliban but to hold it. As a result, we were able to provide security to the local population, assist in the development of the primarily agrarian economy, and train Afghani security forces.

Unfortunately, the President's arbitrary decision to reduce the number of our forces deployed to Afghanistan by approximately a third, and instructing the reduction to be completed by next summer, only adds to the burden of our forces that remain.

In fact, this summer I was fortunate to host former Director of the Central Intelligence Agency, GEN Michael Hayden, at a speaking event in Utah. I found his insight on this matter most illuminating. General Hayden did not quarrel with the notion of reducing the number of troops in Afghanistan. However, he was troubled by the timing of the drawdown. Specifically, the general stated he would have kept the troops in place until the conclusion of the 2012 summer fighting season.

That being said, I have absolute confidence in our new commander, GEN John Allen. He succeeds General Petraeus, with whom I met over there in Afghanistan, and have met on other occasions, and who has done a tremendous singular service for our country. I have great respect for him. But I expect General Allen to be just as good. General Allen was one of the vital catalysts in the Sunni awakening in Iraq. The Sunni awakening and our counterinsurgency strategy are considered by many to be the driving forces for our success during the Iraqi surge. And, of course, we all remember what General Petraeus did there as well. I am confident General Allen will maintain the hard-won momentum our forces have achieved in Afghanistan, despite the reduction in resources.

In addition, our troops will be assisted by an even greater number of Afghan troops. In this month's edition of Foreign Affairs, General Rodriguez wrote that the Afghan Army by the end of 2010 had increased in size to 143,000, which surpassed that year's goal by

9,000 troops. In addition, the Afghan Army "has quickly become one of the country's most respected institutions." The general also writes:

In 2011, 95 percent of all Afghan army units have been partnered with coalition forces, and they are showing steady improvement in providing security and in their ability to independently thwart insurgent attacks.

In conclusion, much has been accomplished, but more remains to be done. The memory of that day—and those we lost—will be forever with us. We must never forget the hard lessons we learned on September 11. We must not become complacent or believe the threat is over or has gone. We have done much to mitigate the threats posed against us, but we always must be on guard for anything in the future.

The hallmark of our democracy consists of the principles of liberty and equality, cherished by our citizens. The terrorists who attacked us on September 11 saw the civic virtues of our peaceful Republic and wrongfully concluded that we were weak. As others have been reminded in the past, it is a mistake to underestimate the courage and resolve of Americans when our constitutional ideals come under attack or when our lives and liberties are threatened.

Even on that first day, the example of police and firemen charging into burning buildings at the World Trade Center and the Pentagon, and civilians fighting back above the skies of Shanksville, PA, showed to the world that America had not lost its resolve. To this day, we remain vigilant in our commitment to protect the natural rights to life and liberty announced in our Declaration of Independence and guaranteed by our beloved Constitution.

Ten years have followed since that day, but I remain proud of the example that America has set for the world as it continues its relentless pursuit of those who would kill innocents and plot mass terrorist attacks on civilian populations.

President Roosevelt called the attack on Pearl Harbor "a date which will live in infamy." Similarly, September 11, 2001, remains a day of remembrance and resolve. We will always remember those who were killed that day and the loved ones they left behind, and we resolve to secure justice for those victims by bringing justice to those responsible for the attacks and who continue to plot against us.

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

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

Mr. McCAIN. Mr. President, I ask unanimous consent that I be permitted

to address the Senate as in morning business.

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

FREE-TRADE AGREEMENTS

Mr. MCCAIN. Mr. President, last night we gathered in the House Chamber for a joint session to listen to President Obama speak about our Nation's dire need to get our economy growing more strongly, to create jobs, and to get millions of Americans back to work. All Americans share this goal, even as we may have some disagreements over the best way to do it.

I think one way to create jobs most of us would agree on is opening new markets overseas to American workers, products and trade. U.S. products are the finest in the world, and we must lower barriers that impede free trade. To that end, we heard the President repeat, as he has previously on numerous occasions in speaking to Congress and the American people, that we must lower barriers that impede free trade. To that end, we heard the President say last night that he wants Congress to pass the three free-trade agreements, with Korea, Colombia, and Panama, that were concluded many years ago. I could not agree more.

Indeed, the International Trade Commission estimates that passing these three trade agreements could increase U.S. exports by \$13 billion, creating approximately 250,000 new jobs.

So Republicans in Congress and many Democrats are ready to pass these trade agreements. I believe if we had a vote on the merits of those agreements they would pass with strong bipartisan support just as previous trade agreements have. The problem is, they continue to sit on the President's desk where they have been since the day he took office. Until he sends those agreements to Congress, there is nothing we can do to pass them.

Why does the President continue to urge Congress to pass agreements that we cannot pass until they are submitted to Congress?

Considering that the President wants these agreements passed, and considering that Congress has the votes to pass them, and considering the overwhelming benefits that each of these free-trade agreements would bring to our workers and our economy, the obvious question, then, is, Why hasn't the President chosen to send these agreements to Congress for final approval?

The answer, I am afraid, has much to do with electoral politics. My friends on the other side of the aisle have long insisted that the price of getting trade agreements through Congress is passage of domestic spending bills geared to assist U.S. workers who have been adversely affected by foreign trade. For this reason, in 2002, Congress passed the trade adjusted assistance legisla-

tion that provided short-term support for worker retraining and other assistance. Many Republicans were skeptical about whether this program and others like it achieved their goals. But we went along for the sake of our national interest in expanding free trade.

However, in 2009, without any action taken on our three pending trade agreements, my friends on the other side of the aisle dramatically increased the Trade Adjustment Assistance Program as part of the stimulus bill, raising spending on this program annually by more than \$½ billion.

I might add that the stimulus bill was supposed to be a temporary stimulus. Now my friends and colleagues on the other side of the aisle want to make that increase permanent. In essence, a program that was designed to assist workers who had been adversely affected by free trade was transformed into a domestic slush fund for reasons that had nothing at all to do with expanding free trade.

What is worse, after repeatedly claiming it supports the free-trade agreements with Colombia, Panama, and Korea, earlier this year the White House announced that the cost of its support was reauthorization of the new trade adjustment assistance, with funding not set at the original 2002 level but the 2009 stimulus level.

So here we had a program that had been expanded from its original cost under the dubious guise of a temporary economic stimulus, and then we were told this temporary funding increase, which was designed to expire along with the stimulus, should, in fact, be turned into a permanent domestic spending program.

My friends, this is why Americans are so angry with Washington and with Congress. It is this mentality that has led to the explosion of government spending and national debt in this country, and it is unsustainable.

I acknowledge that expanding trade does temporarily put some of our workers at a disadvantage. I remember being roundly criticized during the 2008 Presidential campaign when I had the audacity to tell Michigan workers the truth—that many of the jobs that had left their State for cheaper labor markets overseas were never coming back.

So I understand that trade can create difficulties for some American workers. I am not opposed in principle to supporting those workers temporarily so they can develop new skills, find new jobs. I don't oppose, nor do I seek to kill, trade adjustment assistance—just to restore it to its original 2002 levels. That said, for a minute let's look closer at how the Federal Government has been going about employment and worker training programs such as this.

Earlier this year, the Government Accountability Office released a study entitled "Multiple Training and Employment Programs: Providing Information on Co-Locating Services and Consolidating Administrative Struc-

tures Could Promote Efficiencies." A translation from the bureaucrats is, How is the Trade Adjustment Assistance Program working out? Here is what the GAO reported on Federal employment and retraining programs, including trade adjustment assistance:

The number of employment and training programs and their funding have increased since our 2003 report when we last reported on them. For fiscal year 2009, we identified 47 employment and training programs administered across nine agencies. Together, these programs spent approximately \$18 billion on employment and training services in fiscal year 2009, according to our survey data. This is an increase of 3 programs and about \$5 billion from our 2003 report. Adjusting for inflation, the amount of the increase is about \$2 billion.

They went on to say:

We estimate, based on survey responses, that this increase is likely due to temporary funding from the Recovery Act for 14 of the 47 programs we identified. In addition to increasing funding for existing programs, the Recovery Act [the stimulus package] also created 3 new programs and modified several existing programs' target population groups and eligibility requirements, according to agency officials. For example, the Recovery Act modified the Trade Adjustment Assistance program by expanding group eligibility to include certain dislocated service workers who were impacted by foreign trade.

So, according to the GAO, many of our multiplying employment and training programs are duplicative of other such programs funded by the Federal Government. But that is not all. The GAO continues:

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, inconclusive, or restricted to short-term impacts.

I will repeat that last sentence:

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, inconclusive, or restricted to short-term impacts.

Not only are many of these employment and training programs duplicative, the GAO has found very little empirical evidence to support whether these programs are even accomplishing their intended goals, and what empirical evidence they have found is, I repeat, "small, inconclusive, or restricted to short-term impacts."

Trade adjustment assistance is among these programs. So my question is simple: At this time of crushing Federal debt and increasing fiscal austerity, why should we increase spending on a program that is likely duplicated by other Federal efforts and of which we cannot even say for sure it is working?

The real tragedy is, because our trade agenda has ground to a halt over this disagreement, the people who are suffering most are our workers and America's international economic leadership. The United States may not be

doing much to advance free trade, but that is definitely not the case with other countries which are vigorously competing to get their workers and businesses into new overseas markets, often to the detriment of the United States of America. While we stand still, the world is moving past us.

In the 5 years we have failed to ratify the Colombia Free Trade Agreement, U.S. companies have paid more than \$3.2 billion in Colombian import tariffs. That would disappear under the free-trade agreement. Since 2008 the United States has lost more than \$800 million in agricultural exports to countries that trade freely with Colombia. Although less stark, the same story is true with Panama.

The people most disadvantaged by our failure to ratify these trade agreements are U.S. workers. What is more, Colombia, Panama, and Korea are not waiting on us. Our allies are not dependent upon us. They are confidently pursuing their own interests—with us if possible but without us if necessary. Colombia and Panama and many other Latin American countries are concluding their own trade agreements often at our expense. Since 2006 U.S. exporters lost 10 percent of their market share in Panama. From 2008 to 2009, our main agricultural exports to Colombia declined by more than 60 percent. These jobs are going to Europe, Canada, and China, but not because their workers are outcompeting ours but because Washington is forcing our exporters to compete with one hand tied behind their backs.

Indeed, Colombia recently began implementing its trade agreement with Canada, further disadvantaging our workers and what should be a natural market for us. Just this summer, South Korea's free-trade agreement with the European Union took effect.

We are losing ground and we need to get moving on trade immediately. I recognize the cost of doing so again will be Republicans' acquiescence to a vote to reauthorize Trade Adjustment Assistance. The Senate minority leader has repeatedly said he will support holding such a vote. So there is literally no reason why the White House should not send our trade agreements with Colombia, Panama, and Korea to Congress for an immediate vote. But as the Republican leader, Senator McCONNELL, has correctly insisted, these trade agreements should not be linked to a reauthorization of Trade Adjustment Assistance at their artificially inflated stimulus funding level.

I would remind my colleagues that in the first speech the President gave to Congress in early 2009, he advocated the passage of free-trade agreements. Again, last night, he mentioned the importance of the passage of free-trade agreements and called on Congress to pass these agreements. Our message back is: Mr. President, send us those agreements. Let us have open and honest debate. Let us have amendments. Let us have votes. But let us move for-

ward. I am confident we can pass these free-trade agreements, but they have to be submitted to Congress. It seems fairly simple. Please, then, Mr. President, don't call on Congress again to pass these agreements unless you send them over to the Congress so we can ratify these agreements.

It is terrible what has happened in Colombia—losing billions of dollars we have had to pay in import tariffs for our goods going into Colombia, which should not have happened. By the way, Colombian goods come into the United States free of tariff because of the Andean trade preference agreements. So we are now at a disadvantage, where we pay tariffs on American goods going into Colombia but no tariff on Colombian goods coming into the United States. It makes no sense. South Korea—I believe it was last July—ratified a free-trade agreement with Europe. We are losing market share, and we are losing billions of dollars and thousands and thousands of jobs because we have not ratified these agreements.

The only way we can ratify them is for the President to send them over. Send them over, Mr. President. Send them over. Last night, he said: Pass these bills now. I am saying: Send the free-trade agreements over now. I will be glad to debate, amend—with time limits—and pass these free-trade agreements. I am confident there will be an overwhelming majority of bipartisan support for these agreements. We can work out the Trade Adjustment Assistance issue. We can debate and vote on it. But we have to have the agreements before us so we can move forward on it.

The people in my State are hurting. People all over America are hurting, as the President acknowledged at the beginning of his remarks last night. We can act. This is one area where I am confident we could move forward. So let us have those agreements sent over, and let us take them up as our first and most important priority in the coming weeks.

I yield the floor.

REMEMBERING 9/11

Mr. DURBIN. Mr. President, Father Mychal Judge was a Catholic priest and chaplain of the New York Fire Department. On the morning of September 11, 2001, he rushed to where he was needed—to the World Trade Center. He was administering last rites to a fallen firefighter when he died amid falling debris from the towers. He is listed as victim 0001, the first recorded fatality of the attacks on America.

A photo of an ash-covered firefighter carrying Father Mychal's body from the wreckage would become one of the most enduring photos of the attacks. Five years after his death, a documentary film about Father Mychal was released. It opens with an interview in which he says:

You wonder what your last hour of life could be. Will I be doing something for someone, trying to save a life?

When we think of 9/11, we remember the shock and horror and the crushing grief. But we also remember the courage shown that day by the firefighters, police, and first responders, by the passengers of United Flight 93, and so many others. We remember and honor all those who have continued to sacrifice to keep us safe, especially the more than 2 million members of our military who have served in Iraq and Afghanistan. Sadly, more than 6,200 of them have given their lives in these wars, and nearly 46,000 have suffered serious wounds.

We remember clearly the outpouring of compassion and common purpose that united us on 9/11 and for weeks after. Like Father Mychal, people across America reached out to help others in their time of need. Jay Winuk is trying to recapture that spirit of good will on this 10th anniversary of 9/11. Jay's brother Glenn was an attorney in New York and an emergency medical technician with a volunteer fire department. He was at home on 9/11 when the first plane hit. He rushed downtown to help evacuate people in his office building a block from the World Trade Center and then joined rescue efforts in the South Tower. He died in its collapse.

On the first anniversary of the attacks, Jay Winuk launched an effort inspired by his brother's sacrifice. It is called MyGoodDeed. The folks at MyGoodDeed and other organizations are working to inspire at least 1 million Americans to honor the victims and survivors of 9/11 by performing good deeds and charitable service in their memories this Sunday, the 10th anniversary. It would be, they say, the single largest day of charitable service in our Nation's history.

There are service activities of every kind planned for Chicago and cities across America. If you are interested in lending a hand, you can go to www.911day.org. Other Americans in Illinois and across our Nation will spend part of Sunday in prayer and at community gatherings designed to build new bridges of understanding between people from different backgrounds and different faiths. I will be attending one of those gatherings on Sunday. I am sure many of my colleagues will as well.

As Members of Congress, we also have an obligation to honor the victims and heroes of 9/11 in another way. In the early evening of 9/11, Members of Congress came together on the steps of the Capitol and pledged to work together and to support President Bush in fighting terrorism. Three days later, we passed a supplemental appropriations bill to provide billions of dollars to clean up and rebuild the World Trade Center and the Pentagon and to help the victims and their families. That same day, Congress authorized President Bush to use "all necessary and appropriate force" against those who participated in the terrorist attacks.

Soon after that, we approved billions of dollars in aid the airline industry and more billions for the commercial insurance industry. We passed a major stimulus package, including tax cuts, to strengthen our battered economy and help workers who had lost jobs in the attacks. We agreed to put aside our differences on contentious issues and work quickly, and work together, to help the American people and our economy in a time of crisis.

Today, Americans are living with a different fear than we felt on 9/11. They are concerned about how they are going to support their families. They are worried they might not find another job or lose the job they have. Middle-class families who have seen their home values plummet and their retirement savings halved in the last few years worry about how they will pay for the kids' college and whether they will be able to retire with even a little dignity and security. We need to demonstrate the same urgency and unity in repairing our economy as we showed in recovering from 9/11.

Last night, President Obama came before Congress and laid out a responsible plan to create good jobs in America today, invest in our Nation's future, and reduce our deficit. I hope this Senate will give the President's plan prompt and fair consideration. We can negotiate. We can make adjustments and improvements. We can look at alternative plans. The only thing we can't do is nothing. To debate and delay endlessly while people are losing their jobs and their homes is inexcusable.

Nearly 3,000 innocent people lost their lives on September 11, and nearly 3,000 children lost a father or a mother. On this 10th anniversary of 9/11, I say to my congressional colleagues, both Democrats and Republicans: Let's sort through our differences—honestly, fairly and quickly—and work together to get our economy back on track and Americans back to work. Let's preserve the American dream for the families of 9/11 and for all of America's families. That is how this Congress can honor the victims and heroes of 9/11.

FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY

Ms. MURKOWSKI. Mr. President, for the 13th consecutive year, communities across the world today are pausing during the 9th hour of the 9th day of the 9th month to acknowledge International Fetal Alcohol Spectrum Disorders Awareness Day. FASD Day will be observed in my home State of Alaska with ceremonies across the State.

I am grateful that this body is also recognizing Fetal Alcohol Spectrum Disorders Awareness Day with a moment of reflection. For this, I thank my colleagues, especially the senior Senator from South Dakota, TIM JOHN-SON, who has joined with me in offering a resolution recognizing September 9, 2011, as National Fetal Alcohol Spec-

trum Disorders Awareness Day. I hope we will continue to pause in the ninth hour of the ninth day each September until fetal alcohol spectrum disorders are eradicated.

FASD is an umbrella term that describes a range of physical and mental birth defects that can occur in a fetus when a pregnant woman consumes alcohol. It is a leading cause of non-hereditary mental retardation in the United States. Many children affected by maternal drinking during pregnancy have irreversible conditions, including severe brain damage. It is causing permanent lifelong disability.

Unlike thousands of other diseases, FASD is 100 percent preventable. Prevention merely requires a woman to abstain from alcohol during pregnancy. Knowing that it is entirely preventable, it saddens me to think that every year in this country an estimated 1 in every 100 babies is born with FASD. That is about 40,000 infants annually. FASD affects more children than Down's syndrome, cerebral palsy, spina bifida, and muscular dystrophy combined.

All in all, the direct and indirect economic costs of FASD in the United States are estimated to be \$5.4 billion. FASD is found in every community in America. It does not discriminate.

During my time in the Senate, I have given many speeches recognizing FASD day. In each of those speeches, I have talked about Alaska's high rate of FASD. A Centers for Disease Control and Prevention project established that in 2002, Alaska's FASD rate was the highest in the Nation. Among our Native communities, the rate of FASD has been 15 times higher than in non-Native areas in our State. But this year I am proud to report that our statistics have vastly improved.

According to the Alaska Department of Health and Social Services, Alaska Native babies were born with fetal alcohol syndrome half as often around the year 2000 as they were 5 to 7 years earlier. Through a major Federal-State prevention and education effort from 1991 to 1996, and with a second effort from 1998 to 2006, the rate of fetal alcohol syndrome among Alaska Native babies decreased by 49 percent. Alaska's overall rate dropped to 13.5 from 20.0. More work can and should certainly be done, but this is a remarkable improvement for a State with historically the highest rate of FASD.

Mr. President, 40,000 American children each year are born with FASD. But education in prevention, treatment, and research of FASD will save countless future health care costs relating to this devastating but entirely preventable disorder.

I appreciate my colleagues' support of Fetal Alcohol Spectrum Disorder Awareness Day and hope we all remember the innocent babies afflicted with this disorder. I hope we continue to recognize the ninth hour of the ninth day of each September until fetal alcohol syndrome disorders are eradicated.

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE TERRORIST ATTACKS ON THE UNITED STATES OF SEPTEMBER 11, 2001—PM 19

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2011, the national emergency with respect to the terrorist threat.

BARACK OBAMA.
THE WHITE HOUSE, September 9, 2011.

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. SCHUMER (for himself, Mr. CASEY, and Mrs. McCASKILL):

S. 1536. A bill to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INOUE (for himself, Mr. SCHUMER, and Mrs. GILLIBRAND):

S. 1537. A bill to authorize the Secretary of the Interior to accept from the Board of Directors of the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc., the donation of title to The National September 11 Memorial and Museum at the World Trade Center, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 431

At the request of Mr. PRYOR, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 707

At the request of Mr. DURBIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Colorado (Mr. UDALL) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 1094

At the request of Mr. MENENDEZ, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1239

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

S. 1369

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

S. 1467

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

S. 1472

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. DURBIN) 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INOUE (for himself, Mr. SCHUMER, and Mrs. GILLIBRAND):

S. 1537. A bill to authorize the Secretary of the Interior to accept from the Board of Directors of the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc., the donation of title to The National September 11 Memorial and Museum at the World Trade Center, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. INOUE. Mr. President, on the morning of September 11, 2001, nearly 3,000 people who would lose their lives in the most horrific attack on America

since the bombing of Pearl Harbor began their day like it was any other.

Many got dressed and headed for work. Others packed their bags and went to the airport. All would leave their loved ones that morning believing they would be home soon to continue the lives they worked so hard to create.

Instead these innocents were murdered by terrorists at the World Trade Center, the Pentagon, and in a field in Shanksville, PA. This despicable act forever changed our great nation and the world. Families were shattered, a war began, and the relative peace and security we enjoyed was ripped away.

I recently toured the World Trade Center site in Lower Manhattan and although the rubble has been cleared and great structures are rising from the earth, there is a solemn air that permeates the place.

Despite the bustling crews and the towering cranes stacking metal and shaping the new towers it is still the spot where husbands, wives, fathers, mothers, sisters and brothers died in fiery fashion.

Being there reminded me of the bombing of Pearl Harbor and the formative years that followed.

I was a boy of 17 when I heard the announcer shout over the radio that Japanese planes were attacking Pearl Harbor. I remember running outside with my father to see the bright red suns painted on the wings of the Zeroes as they raced toward their target amid black puffs of anti-aircraft fire.

I knew at that moment that my country and my life would never be the same. Six decades later that moment came again when I watched passenger jets crash into the side of the World Trade Center.

After Pearl Harbor I put on the uniform and went off to fight for this country as did thousands of my brave brothers from the Greatest Generation. Our nation was shocked into action by the events of December 7, 1941 and a generation of Americans fought and died to shape the new world that came after the bombs fell.

America was awakened in similar fashion on the morning of September 11, 2001 and 10 years later we are still fighting and dying to create a future better than the one we lost that day.

Today, next to the new towers at the World Trade Center site, is the National September 11 Memorial and Museum at Ground Zero. It is a magnificent structure. Two waterfall rimmed pools, situated in the original footprints of the fallen towers, sit side by side. The names of the fallen are engraved in panels that form a railing around each pool.

It is a fitting memorial for those who died but we must honor their memory by telling their story and educating the world about what happened on September 11, 2001.

Yes, it was America that was attacked, but the world changed forever that day and this memorial and mu-

seum is much more than a collection of artifacts, it is a symbol of America reborn and a reminder that the world order is always changing.

Today, I rise to introduce a bill that will allow the United States, through the Secretary of the Interior, to take ownership of the lands, the Memorial and the Museum, after the appropriate approvals are secured from the Governor of the State of New York, the Governor of the State of New Jersey, and the Mayor of New York City.

The Department of the Interior will enter into a cooperative agreement with the Board of the non-profit National September 11 Memorial and Museum at the World Trade Center, Inc., which may provide technical and financial assistance to the Memorial and Museum relating to its operations and maintenance.

The legislation would authorize appropriations of \$20 million in fiscal year 2013, the first full fiscal year after which the Museum is scheduled to open to the public, and in subsequent years.

All funds appropriated must be matched by non-Federal sources, such as admission fees, gifts and fundraising, with the resulting Federal share being about 33 percent or less of the overall budget of the Memorial and Museum.

It is our duty to help perpetuate this seminal moment in American history.

Let us take responsibility for preserving our past and driving our future by honoring the fallen and their families with this lasting tribute.

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. 1537

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 "National September 11 Memorial and Museum Act of 2011".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) on September 11, 2001, the United States was attacked and our world was changed forever when terrorists murdered nearly 3,000 innocent people at the World Trade Center, at the Pentagon, and in a field in Shanksville, Pennsylvania, in the largest terrorist attack ever committed in the United States;

(2) millions of people from every State and every country have visited Ground Zero to pay their respects;

(3) established in 2003, the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc., a non-profit organization described in section 501(c)(3) of the Internal Revenue Code of 1986, has been dedicated to raising funds for and overseeing the design, construction, and operation of the Memorial and Museum at the World Trade Center site;

(4) the Memorial will ensure that future generations never forget the thousands of people who were killed by the terrorist attack on September 11th, 2001, in New York, Pennsylvania, and Virginia as well as those who died in the terrorist bombing at the World Trade Center on February 26, 1993;

(5) the Memorial—

(A) will further recognize the thousands who survived the terrorist attacks and all who demonstrated extraordinary compassion in the aftermath;

(B) will ensure, through educational programs, that the history of September 11, 2011, and the implications of that day, continue to be told, especially to the youth of the United States; and

(C) will be a resource to the more than 600 September 11 Memorials being established throughout the United States;

(6) the Memorial is scheduled to open on the 10th anniversary of the terrorist attacks, while the Museum is scheduled to open in 2012;

(7) it is projected that the Memorial will be one of the most visited venues in the United States, with millions of visitors each year, reflecting the enormous impact the terrorist attacks had on the United States and the world;

(8) throughout the history of the United States, Congress has stepped forward to authorize operating funds, in public and private partnership with private donors, for memorials and museums of national significance;

(9) the Memorial is a true public and private partnership, recognized as a public charity under the Internal Revenue Code of 1986; and

(10) of the funds raised for the Memorial and Museum—

(A) nearly 60 percent have come from over 300,000 private donations; and

(B) 40 percent have come from public sources.

(b) **PURPOSE.**—The purpose of this Act is to promote the purposes of the Memorial, including—

(1) remembering and honoring the thousands of innocent men, women, and children murdered by terrorists in the horrific attacks of February 26, 1993, and September 11, 2001;

(2) respecting the site made sacred through tragic loss;

(3) recognizing—

(A) the endurance of the individuals who survived the terrorist attacks;

(B) the courage of the individuals who risked their lives to save others; and

(C) the compassion of the individuals who supported the people of the United States in our darkest hours;

(4) ensuring, through educational programs, that the history of September 11, 2001, and the implications of that day continue to be told, especially to the youth of the United States; and

(5) ensuring that the Memorial will be a resource to the more than 600 September 11 Memorials being established throughout the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) **BOARD.**—The term “Board” means the Board of Directors of the National September 11 Memorial and Museum at the World Trade Center Foundation, Inc.

(2) **MEMORIAL.**—The term “Memorial” means The National September 11 Memorial and Museum at the World Trade Center in New York City, New York.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 4. DONATION OF MEMORIAL.

(a) **IN GENERAL.**—The Secretary may accept from the Board the donation of title to the Memorial, subject to—

(1) any terms and conditions that the Secretary and the Board may mutually agree to;

(2) the approval of the donation by the Governor of the State of New York, the Governor of the State of New Jersey, and the Mayor of the City of New York; and

(3) the requirement that title to the Memorial be in a form satisfactory to the Secretary.

(b) **TECHNICAL AND FINANCIAL ASSISTANCE.**—

(1) **IN GENERAL.**—The Secretary may provide technical and financial assistance to the Board relating to the operation of the Memorial.

(2) **CONSULTATION.**—The Secretary may consult with, and seek technical assistance from, the Secretary of Defense, Secretary of Education, Secretary of Homeland Security, Secretary of Housing and Urban Development, and Administrator of General Services in providing assistance to the Board under paragraph (1).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act not more than \$20,000,000 for fiscal year 2013 and each fiscal year thereafter, subject to the requirement that any funds appropriated to carry out this Act shall be matched with funds from non-Federal sources.

APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003—Motion To Proceed

Mr. REID. Mr. President, I now move to proceed to Calendar No. 154, H.J. Res. 66.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The bill clerk read as follows:

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

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 154, H.J. Res. 66, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

Harry Reid, Richard J. Durbin, Barbara Boxer, Mark R. Warner, Jeff Bingaman, Daniel K. Inouye, Ben Nelson, Patty Murray, Frank R. Lautenberg, Daniel K. Akaka, John F. Kerry, Ron Wyden, Bill Nelson, Jeff Merkley, Sheldon Whitehouse, Max Baucus, Charles E. Schumer.

Mr. REID. Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture occur at 5:30 p.m. on Monday, September 12, and the mandatory quorum call under rule XXII be waived.

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

ORDERS FOR MONDAY, SEPTEMBER 12, 2011

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

completes its business today, it adjourn until 2 p.m. on Monday, September 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 4:30 p.m. on Monday, with Senators permitted to speak for up to 10 minutes each; that at 4:30 p.m. on Monday, the Senate would resume consideration of a motion to proceed to the joint resolution regarding Burma sanctions.

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

PROGRAM

Mr. REID. There will be a rollcall vote at 5:30 p.m. on Monday on the motion to invoke cloture on the motion to proceed to H.J. Res. 66. Additionally, there will be a 9/11 Remembrance Ceremony on Monday on the east front steps of the Capitol. Members will gather in the Rotunda about 10 to 6, so people should be on time for the vote because we will have to close it pretty quickly.

ORDER FOR ADJOURNMENT

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order following the remarks of Senator WARNER.

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

The Senator from Virginia is recognized.

HONORING MICHAEL B. SMITH

Mr. WARNER. Mr. President, I wanted to be afforded this opportunity to address the Senate. I recognize I may be all that is standing in front of the Presiding Officer and the folks who do such a good job of maintaining order in the Senate and adjournment so I will try to make my remarks relatively brief—relatively.

I rise again today to honor another great Federal employee, Michael Smith. As the Director of the Strategic Source Program Office within the Department of Homeland Security, or DHS, Mr. Smith has saved U.S. taxpayers an estimated \$750 million over a 3-year period by merging the buying power of 22 different components within DHS.

Mr. Smith recognizes—which I also recognized as Governor and I know the Presiding Officer did when he was the Governor of the great State of West Virginia—that centralized procurement operations is a critical step to creating efficiencies and savings in government.

As Governor I fostered development of the State centralized procurement system, eVA, and mandated that all of the State's entities use that system for

purchases. For example, we were able to reduce what we paid for lightbulbs in Virginia from 38 cents to 23 cents each. That didn't close a \$6 billion shortfall by itself, but we buy a lot of lightbulbs in Virginia, and I know they do in West Virginia as well.

Mr. Smith has taken a similar approach at the Federal level, and his accomplishment was no small feat. After analyzing the purchasing data at DHS, he identified several critical security problems and services that could be consolidated for purposes of purchasing, such as ammunition, uniforms, and communications equipment.

He brought together the program and acquisition staff of 22 DHS components, including the Transportation Security Administration and Customs and Border Protection, to agree to work together. Mr. Smith's supervisors said that he listened to the different needs of the DHS components and was able to lead them to common solutions to meet all their individual requirements under a new contract.

According to Nick Nayak, the DHS chief procurement officer, "Mr. Smith led a new way of doing business where agencies provided a letter detailing their financial and policy commitment to initiative to obtain the business pricing for the government." Mr. Smith's collaborative approach has been so successful that the White House has asked him to introduce his methodology to other larger agencies.

I hope my colleagues will join me in honoring Mr. Smith for his excellent work. I am also proud to recognize him as a Virginian, a Marine Corps veteran, and someone who has dedicated the past 28 years to public service.

REMEMBERING 9/11

Mr. WARNER. Mr. President, before I relinquish the floor, I do want to take a couple of minutes on two other items. No. 1, as the Presiding Officer this morning, I heard a number of Senators come forward and recognize, as others have over the last few days, that we are approaching the 10th anniversary of 9/11.

I am sure all of us here remember where we were that Tuesday morning. I personally recall I was in a campaign for Governor at that point. I had just gotten a haircut and a big debate was 3 days away when I first got the news. Suddenly the big debate didn't seem that terribly important. Within an hour I had been at my campaign headquarters, saw the plane crash into the Pentagon with smoke billowing out.

In the last 10 years I think this country has made remarkable strides in making sure Americans are safer than they were 10 years ago. We have seen a whole new series of collaborations between our intelligence service agencies. We have seen greater collaboration here at home amongst our law enforcement.

As we all come together on Sunday and reflect back on the last 10 years

and the horrors that were brought to this country, I hope we will all say a little prayer for those members of our military and those members of the intelligence community for the magnificent work they have done making our country much safer.

I think, as well, as we see reports even today of possible threats, we recognize we can never be 100 percent safe. I remember during my tenure as Governor, within the first year, we in Virginia and the District and Maryland were caught in almost 3 weeks of remarkable terror with what later became known as the sniper incidents. For a lot of that time we didn't know whether this was a possible terrorist incident or was it what it turned out to be, two deranged lone-wolf assassins wreaking havoc across most of the mid-Atlantic.

We need to bear in mind that while we and our government will do everything possible to keep us safe, we also have to rely upon individuals in collaboration with law enforcement as they spot incidents that seem unusual.

But even with that collaboration, there may be times that someone, whether home-grown or foreign, someone, a lone-wolf type assassin or terrorist, could slip through, and I think it is important that, 10 years after that enormous tragedy, we as a people be more resilient. We cannot allow a single act of terror to change the way we live, our freedoms, our civil liberties, because, candidly, there is no way any terrorist can inflict so much individual harm that it can do permanent damage to our country. But if they do spread fear or make us as a people change the way we interact, change the kind respect we have for each other, the respect we have for our freedoms, then they will be more successful than with any single incident of harm.

I know the Presiding Officer and many of the folks who work here and many of the young pages, as we go into this weekend of reflection—and I hope many of the folks who are listening today—will take a moment and not only reflect back on that 10th anniversary but also do an act of service. I think this is a great time for us as Americans to show service back to our communities.

I know I will be in the Pentagon Sunday morning, where we were hit in Virginia. The Pentagon is a national institution, but we in Virginia are proud it resides in the Commonwealth. I will be in the Pentagon Sunday morning to be with some who lost loved ones on that day. But I will also be doing acts of community service throughout this weekend as well, to make sure we show that great spirit of America.

INVESTING IN AMERICA

Mr. WARNER. Mr. President, I also wish to take one final moment, and I will be very brief. I want to echo something my colleague from Tennessee said. It is something the Presiding Offi-

cer has been very active with over the last few months. We all heard the President last night. Some of us may agree or disagree with all the actions the President laid out. I think there are things we can do as a government targeted to help spur economic growth and job creation that needs to be our top priority.

I do think we have to recognize there is not a single silver bullet, that the major tools the government uses during a period of economic turmoil we have actually already used. The central government can lower interest rates. The government can use federal stimulus. We have used both of those. There can be certain additional things we can do around the edges, but one of the most important things we can do to get this economy restarted is generate confidence, confidence amongst the American consumers and the American people that we in Washington are not going to mess things up any worse, confidence amongst our business community, particularly larger businesses that are sitting on \$2.5 trillion, and they are in a financially better position today than they were back in 2008 when we first experienced the beginnings of the financial crisis, to get that money off the sidelines and reinvest it in America.

One of the most important things we can do—and the President touched upon it last night, but there has been a group of bipartisan Senators that has been working on this for a long period of time—is to recognize that unless we get our long-term debt problems under control, then I don't think we will see the resurgence of confidence this economy and this country needs.

I look forward to working with the President and Members of both parties and targeting investments. I hope, as well, with the Presiding Officer, with my friend from Tennessee, with my friend, the Senator from Georgia, and others, that we can work with this so-called new supercommittee to urge them to be bold, and that if they will be bold and we put in place over a 10-year frame a long-term deficit reduction plan, I hope we reduce the deficit by at least \$4 trillion, encompassing what we have already done. That plan phased in over a decade will do as much to generate job creation in the short term as any other action. I look forward to that work ahead.

I look forward to reflecting back with all my fellow Americans upon both the sacrifice and tragedy, but also the amazing resilience of the American people in the last decade, and I compliment Mr. Smith and so many federal employees for the work they do.

FALLEN HEROES OF 9/11 ACT

Mr. WARNER. Mr. President, I ask unanimous consent that the Banking Committee be discharged from further consideration of S. 1239, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (S. 1239) to provide for a medal of appropriate design to be awarded by the President to the memorials established at the 3 sites honoring the men and women who perished as a result of the terrorist attacks on the United States on September 11, 2001.

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

Mr. WARNER. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 1239) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1239

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 “Fallen Heroes of 9/11 Act”.

SEC. 2. CONGRESSIONAL FINDINGS.

Congress finds that—

(1) the tragic deaths at the World Trade Center, at the Pentagon, and in rural Pennsylvania on September 11, 2001, have forever changed our Nation;

(2) the officers, emergency workers, and other employees of State and local government agencies, including the Port Authority of New York and New Jersey, and of the United States government and others, who responded to the attacks on the World Trade Center in New York City and perished as a result of the tragic events of September 11, 2001 (including those who are missing and

presumed dead), took heroic and noble action on that day;

(3) the officers, emergency rescue workers, and employees of local and United States government agencies, who responded to the attack on the Pentagon in Washington, DC, took heroic and noble action to evacuate the premises and prevent further casualties of Pentagon employees;

(4) the passengers and crew of United Airlines Flight 93, recognizing the imminent danger that the aircraft that they were aboard posed to large numbers of innocent men, women and children, American institutions, and the symbols of American democracy, took heroic and noble action to ensure that the aircraft could not be used as a weapon; and

(5) given the unprecedented nature of the attacks against the United States of America and the need to properly demonstrate the support of the country for those who lost their lives to terrorism, it is fitting that their sacrifice be recognized with the award of an appropriate medal.

SEC. 3. FALLEN HEROES OF 9/11 CONGRESSIONAL MEDALS.

(a) PRESENTATION AUTHORIZED.—The President is authorized, on behalf of Congress, to award a medal of appropriate design, such medal to be known as the “Fallen Heroes of 9/11 Congressional Medal”, to—

(1) the Flight 93 National Memorial in Pennsylvania;

(2) the National September 11 Memorial and Museum in New York; and

(3) the Pentagon Memorial at the Pentagon.

(b) DESIGN AND STRIKING.—

(1) IN GENERAL.—For purposes of the presentations referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the “Secretary”) shall strike 3 designs of medals, with such suitable emblems, devices, and inscriptions as the Secretary determines to be appropriate to be representative of and in honor of, respectively—

(A) those who lost their lives in the attack at the World Trade Center, including civil-

ians, public safety officers, emergency workers, and the passengers and crew of American Airlines Flight 11 and United Airlines Flight 175;

(B) the passengers and crew aboard United Airlines Flight 93 that was brought down in rural Pennsylvania near Shanksville, Somerset County; and

(C) those who lost their lives at the Pentagon, including the passengers and crew of American Airlines Flight 77.

(2) CONSULTATION.—Before making a final determination with respect to the design of the medals under this subsection, the Secretary shall consult with the Secretary of Defense and such other parties as the Secretary may determine to be appropriate.

(3) CONTENT OF MEDALS.—The medals struck for purposes of subsection (a) shall be gold medals.

SEC. 4. SALES OF DUPLICATE MEDALS TO THE PUBLIC TO DEFRAY COSTS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the medals struck under section 3, at a price that is at least sufficient to cover the costs thereof, including labor, materials, dies, use of machinery, and overhead expenses. Excess funds from the sales of the duplicate medals will be distributed equally between the 3 memorial sites referred to in section 3(a).

SEC. 5. NATIONAL MEDALS.

The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

ADJOURNMENT UNTIL MONDAY,
SEPTEMBER 12, 2011, AT 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until Monday, September 12, 2011, at 2 p.m.

Thereupon, the Senate, at 12:30 p.m., adjourned until Monday, September 12, 2011, at 2 p.m.