

United States can rely on its well-trained, well-led, and highly motivated members of the United States Army to successfully carry out the missions entrusted to them: Now, therefore, be it

The preamble, as amended, was agreed to.

AMMONIUM NITRATE FERTILIZER

Mr. CASEY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 570, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 570) calling for continued support for and an increased effort by the Governments of Pakistan, Afghanistan, and other Central Asian countries to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent the transport of ammonium nitrate into Afghanistan where the ammonium nitrate is used in improvised explosive devices.

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

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

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

The resolution (S. Res. 570) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 570

Whereas it is illegal to manufacture, own, or use ammonium nitrate fertilizer in Afghanistan since a ban was instituted by Afghan President Hamid Karzai in January 2010;

Whereas ammonium nitrate fertilizer has historically been and continues to be 1 of the primary explosive ingredients used in improvised explosive devices (referred to in this preamble as "IEDs") by Taliban insurgents in Afghanistan against the United States and coalition forces;

Whereas 275 United States troops were killed by IEDs in Afghanistan in 2009;

Whereas large amounts of ammonium nitrate are shipped into Afghanistan from Pakistan, Iran, and other Central Asian countries;

Whereas the Government of Pakistan has indicated a willingness to work collaboratively with the Governments of the United States and Afghanistan to address the regulation and interdiction of ammonium nitrate fertilizer and other IED precursors; and

Whereas the United States government currently provides assistance to Pakistan for agricultural development and capacity building: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Governments of Pakistan, Afghanistan, and other Central Asian countries to fully commit to regulating the sale, transport, and use of ammonium nitrate in the region;

(2) calls on the Secretary of State—

(A) to continue to diplomatically engage with the Governments of Pakistan, Afghanistan, and other Central Asian countries to address the proliferation and transportation of ammonium nitrate and other improvised explosive device ("IED") precursors in the region; and

(B) to work with the World Customs Organization and other international bodies, as the Secretary of State determines to be appropriate, on initiatives to improve controls globally on IED components; and

(3) urges the Secretary of State to work with the Governments of Pakistan, Afghanistan, and other Central Asian countries to encourage and support improvements in infrastructure and procedures at border crossings to prevent the flow of ammonium nitrate and other IED precursors or components into the region.

RELEASE OF GILAD SHALIT

Mr. CASEY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 571, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 571) calling for the immediate and unconditional release of Israeli soldier Gilad Shalit held captive by Hamas, and for other purposes.

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

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

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

The resolution (S. Res. 571) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 571

Whereas Congress previously expressed its concern for missing Israeli soldiers in the Act entitled "An Act to locate and secure the return of Zachary Baumel, a United States citizen, and other soldiers missing in action", approved November 8, 1999 (Public Law 106-89; 113 Stat. 1305), which required the Secretary of State to raise the status of missing Israeli soldiers with appropriate government officials of Syria, Lebanon, the Palestinian Authority, and other governments in the region, and to submit to Congress reports on those efforts and any subsequent discovery of relevant information;

Whereas the House of Representatives passed H. Res. 107 on March 13, 2007, regarding Gilad Shalit and other Israeli soldiers illegally attacked and captured by terrorists;

Whereas Israel completed its withdrawal from Gaza on September 12, 2005;

Whereas, on June 25, 2006, Hamas together with allied terrorists crossed into Israel to attack a military post, killing two soldiers and wounding and kidnapping Gilad Shalit in a blatantly illegal and extortionate effort to coerce the Government of Israel;

Whereas Hamas has prevented access to Gilad Shalit by competent medical personnel and representatives of the International Committee of the Red Cross;

Whereas Hamas has refused to provide Gilad Shalit with regular contact with his family or any other party, or to allow his family to know where he is being held;

Whereas Hamas has compelled Gilad Shalit to appear in video and voice recordings intended to illegally and extortionately coerce the Government of Israel; and

Whereas Gilad Shalit has been held in captivity by Hamas for almost four years: Now, therefore, be it

Resolved, That the Senate—

(1) demands that—

(A) Hamas immediately and unconditionally release Israeli soldier Gilad Shalit; and

(B) Hamas—

(i) allow prompt access to the Israeli captives by competent medical personnel and representatives of the International Committee of the Red Cross;

(ii) facilitate regular communication by Gilad Shalit with his family and allow his family to know where he is being held; and

(iii) cease compelling Gilad Shalit to appear in video and voice recordings intended to illegally and extortionately coerce the Government of Israel;

(2) expresses—

(A) its vigorous support and unwavering commitment to the welfare, security, and survival of the State of Israel as a Jewish and democratic state within recognized and secure borders;

(B) its strong support and deep interest in achieving a resolution of the Israeli-Palestinian conflict through the creation of a democratic, viable, and independent Palestinian state living in peace alongside of the State of Israel;

(C) its ongoing concern and sympathy for the family of Gilad Shalit; and

(D) its full commitment to continue to seek the immediate and unconditional release of Gilad Shalit and other missing Israeli soldiers;

(3) recalls—

(A) the illegal and barbaric attack on and kidnapping of the bodies of Ehud Goldwasser and Eldad Regev on July 12, 2006, by the Iran-supported terrorist group Hezbollah; and

(B) the missing Israeli soldiers Zecharia Baumel, Zvi Feldman, and Yehuda Katz, missing since June 11, 1982, Ron Arad, who was captured on October 16, 1986, Guy Hever, last seen on August 17, 1997, and Majdy Halabi, last seen on May 24, 2005; and

(4) condemns—

(A) Hamas for the grossly illegal and immoral cross border attack and kidnapping of Gilad Shalit; and

(B) the Governments of Iran and Syria, the primary state sponsors and patrons of Hamas, for their ongoing support for international terrorism.

Mr. CASEY. Madam 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. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CHINESE CURRENCY MANIPULATION

Mr. BROWN of Ohio. Madam President, over the last few days, we have watched President Obama's Cabinet Members and leaders of the G20 nations in Toronto for an economic summit.

Our trade relationship with China has been one of the most important among many issues the world's leaders have addressed.

We know Ohio's workers and manufacturers can compete with anyone in the world, but China's currency manipulation imposes an enormous and an unfair competitive disadvantage to our workers and our manufacturers.

While last week's announcement that China will allow a gradual appreciation of the value of the yuan is encouraging, we have all too often seen China revert to its old tricks when the spotlight fades. In fact, China made its announcement on a Saturday—a minimalist announcement at that—and the next day backpedaled even on that announcement.

China's systemic intervention in the currency market, where they continue to buy Western currency, has led to the undervaluation of the yuan by up to 40 percent—some economists say even more than that. That means China has a distinct advantage for its exporters and puts our exporters at a distinct disadvantage when they try to get into the Chinese market. That is why we asked the Commerce Department to make the important decision to investigate China's currency manipulation on behalf of paper manufacturers in Ohio and several other States. These companies and their workers in West Carlton, OH, and in Miamisburg, OH, are holding on for their lives, and, like manufacturers and workers around the United States, they understand why our trade law's enforcement and remedies are so vital. They know firsthand why our trade laws must combat currency manipulation.

If we fail to act, China's currency manipulation will continue to contribute to our country's staggering trade deficit with China. Our trade deficit with China in the last 3 years, particularly prior to our terrible financial situation, approached \$1 billion a day. That means we bought from China \$1 billion more than we sold to them, day-in and day-out, 365 days a year.

Senators GRAHAM, SCHUMER, STABENOW, and I are calling for a vote on our legislation that addresses this blatant currency manipulation to ensure that we take action on Chinese imports until the yuan rises to its fair market value.

It is clear that our manufacturers are backed into a corner. It is also clear that it did not have to be this way. Ten years ago this summer, Congress passed permanent normal trade relations with China as our Nation entered the 21st century facing great economic opportunities and confronting gathering national security threats. You remember 10 years ago we had a balanced budget, until the Bush years with tax cuts for the rich, the giveaway for the drug and insurance companies in the name of Medicare privatization, and two wars, all of which were charged to our grandchildren, none of which were paid for. We had an economic situation

where we were beginning to lose manufacturing jobs.

I remember those days, serving in the House, and recall that every Member of Congress—literally probably every single Member of Congress—was told, even those of us who were outspokenly against this PNTR with China—we were told repeatedly in newspaper ads and editorials, told in hundreds of individual visits by CEOs of America's largest companies—they walked into our office and said: We want access to 1.2 billion Chinese consumers. Really, they didn't; they wanted access to 1.2 billion Chinese workers.

Free-trade advocates in Washington and Wall Street and nearly every editorial board lauded the economic opportunities yet to come from U.S. workers and businesses. These pundits, these CEOs, these Ivy League economists, these newspaper editors heralded passage of PNTR with China as the best way to promote reform and stability in China and the region. None hesitated for a minute calling those of us who opposed the PNTR protectionists, saying that we have our heads in the sand, we are backward-looking Luddites and whatever adjective they chose. Today, just 10 years later, those proponents have been shown dreadfully wrong. The problem is that those people who pushed PNTR—the CEOs, the Harvard economist, the newspaper editors—few of them have lost their jobs. It has been workers in Galion, OH, and Zanesville and Toledo and Mansfield and Chillicothe who have paid the price because of that terrible decision to extend those trade preferences to the People's Republic of China.

Since receiving PNTR status and the benefits of membership in the World Trade Organization, the WTO, China has taken money from American consumers and investors without fully opening its markets to American businesses and workers. The results are record trade deficits. The results are millions of jobs lost. Three million manufacturing jobs have been lost in the last several years—not all because of China trade but a significant number.

Chinese workers continue to face low wages and substandard labor conditions. This has not worked particularly well for Chinese workers. It sure has not worked well for American workers. It has worked well for those American companies that outsourced their jobs, hired Chinese workers at very low wages, with very few environmental or worker safety safeguards, and then exported those goods back into the United States.

Even the most ardent proponents of China PNTR are likely to feel a bit of buyer's remorse, unable to do business in China because of China's aggressive protection of its industries.

We must do more to strengthen a multilateral, rules-based system that holds trading partners accountable. A critical way to hold them accountable and advance our economic interests is

strong and aggressive trade enforcement.

President Obama, on two occasions, did something President Bush never did, even though he was presented with recommendations from the International Trading Commission. President Obama twice already showed a willingness to enforce trade rules—the first President to invoke the section 421 safeguards, which he did when he granted relief to the U.S. consumer tire industry. This single action saved at least 100 jobs in Findlay, OH, at Cooper Tire, after President Obama said China is cheating, China is not playing fair, and invoked these sanctions against them.

The Commerce Department then found that steel pipe and tube manufacturers, so-called “oil country tubular goods” manufacturers, are being dramatically undercut by China. As a result, the International Trade Commission granted immediate relief for these oil country tubular goods, which is helping V&M Star expand operations in Youngstown.

I was in Youngstown at V&M Star. I saw what they were doing. We did a groundbreaking today with Governor Strickland, who has played a roll in assembling the package for Star Steel's expansion—some recovery dollars to help with infrastructure leading in and out of the plant, a \$6 million investment in V&M, a very productive workforce for the last several years at V&M Star, and this trade decision President Obama made to simply say the Chinese have not played fair—and the ITC has granted immediate relief. Those factors show that when you enforce trade law, it creates jobs.

There will be 1,000 building trades jobs for the next 18 months in Mahoning Valley because of these direct jobs. Then there will be another 400 or so and maybe more jobs in the future as this company expands.

These are good developments, obviously, but there is more we can do to show America is serious about trade enforcement. There is more we can do to show we are serious about rebalancing our trade relationship with China in defending our national economic interests. And we know there is more we can do in defending a strong national manufacturing base that leads the United States in the global clean energy economy.

Right now, China is working every day to win the race by any cost and any means necessary. Beijing invested \$35 billion in renewable energy last year, more or less double the \$18 billion we invested as a country. Every day we delay investments in clean energy, China spends \$51 million a day to further that unacceptable gap.

China is not only using its abundance of capital to monopolize clean energy manufacturing, it is also elbowing competition out of the way by discriminating against U.S. companies.

China cries foul at our “Buy American” policies but has its own “Buy

China" policies, without signing onto the WTO agreement on procurement. They promised in 2000, with the passage of PNTR, they promised they would join the agreement on procurement, which meant fair play on contracts between and among governments. Yet China has not only refused to sign on, they also had a strong "Buy China" arrangement in their economy, what would have violated WTO rules. Yet several major opinion leaders—Ivy League economists, pundits on television, newspaper editors, and too many elected officials—pushed back and said we should not do "Buy American" in this country.

China's so-called "indigenous innovation" policies provide preferences to products containing Chinese-developed intellectual property for government procurement purposes. That is why I encourage the Obama administration to launch a section 301 case against the Chinese package of policies that limit market access to U.S. companies in the clean energy sector.

If China leads the clean energy revolution, we will trade dependence on foreign oil with dependence on Chinese or foreign clean energy technologies. With the right investments and with strong trade enforcement, we can make sure that does not happen.

Consider, as you know in Oregon, what is at stake. Five of the top ten solar panel makers in the world are from China. But the No. 1 is First Solar, a U.S. company which has factories around the world that can produce as much energy as any coal or nuclear plant but, of course, much cleaner and more efficient.

One of First Solar's factories is in Perrysburg, OH, and the entrepreneurs behind the company's success started at the University of Toledo. If we want to keep First Solar at the top in the world, and if we want our entrepreneurs to continue to lead the world in innovation, they should have access to all of the world's markets. That is why we need the President of the United States to lead the crusade for vigorous trade enforcement.

Just the launch of a 301 case by this administration will show China we are serious about competing in this emerging market. We cannot enter the next decade of the 21st century further behind, facing the same hurdles that faced our Nation just 10 years ago.

As the G20 summit convenes this weekend and beyond, we must take the buyer's remorse of those who supported China PNTR and make sure we begin the next decade with a rules-based trading system that works for American workers and works for American manufacturers.

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

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded.

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

RELATIVE TO THE DEATH OF ROBERT C. BYRD, A SENATOR FROM THE STATE OF WEST VIRGINIA

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 572, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 572) relative to the death of the Honorable ROBERT C. BYRD, a Senator from the State of West Virginia.

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

REMEMBERING SENATOR ROBERT C. BYRD

Mr. INOUE. Mr. President, my heart is heavy with sadness following the passing of a dear friend, ROBERT C. BYRD, Senator from West Virginia.

We have been friends for nearly 50 years and I am overcome with memories. Nearly 48 years ago Senator BYRD was one of the first to greet me in the Chamber of the U.S. Senate.

Since that first moment of friendship we have worked together on many projects. And since those early days, I have called him, "my leader."

He was my mentor. Over the years he provided me countless opportunities and tasked me with positions of critical national oversight while guiding my actions with the temperance he learned as the longest serving Senator in history.

He was a Senator's Senator. His many accomplishments were historic and he fought tirelessly to improve the lives of working families in West Virginia. We shared the belief that we must provide for the people who trust us to represent their communities in Washington.

I owe much to my leader, Senator BYRD. He will forever have my gratitude and respect and I will miss him dearly. My thoughts and prayers are with the Byrd family during this difficult time.

Mr. President, as America mourns, I ask my colleagues to join me in paying tribute to Senator BYRD.

Mrs. BOXER. Mr. President, I know several colleagues have come to the floor today to note the passing of a giant among us, ROBERT BYRD. I want to take a moment here to speak straight from the heart about ROBERT BYRD and my experience working with him. As we look at his desk with the flowers there, we of course think back to not too long ago when we lost another giant, Ted Kennedy. I think what distinguishes these two from others is their unbelievable, undying commitment to the people they represented and to this country.

I think, when all is said and done, that is what it is about. It is not about

how long you serve. Of course, in the case of both Senator Kennedy and Senator BYRD, it was so long. Senator BYRD made history as the longest serving Senator, and that should be duly noted. But it is well beyond that. It is about this fierce sense of "fight for your people" that they both had.

When I came to the Senate, of course ROBERT C. BYRD was a legend for sure. He always met with the incoming Senators, to give them the rules of the road about procedure, about how to conduct yourself when you were in the chair, about the dignity of the Senate, and most of all about reverence for the Constitution. As many know and many saw, the image I will always have of ROBERT C. BYRD is of him reaching inside his suit pocket and bringing out the Constitution—which, along with the Bible, was what he cherished most. He taught us that everything we do here comes from the Founders, and he taught us to love and respect the Constitution and he did it in a way that was truly inspiring.

I can tell you, coming from the largest State in the Union, we have our share of problems. We have floods and fires and droughts, we have pests in our agricultural industry, we have problem after problem—earthquakes, need I say that? Every single time we had one of these disasters, Senator FEINSTEIN and I knew we had to go to our colleagues and say: Please understand, California needs the help of the U.S. Government because the damage is so massive. Of course, we all do that whenever our State has a problem, because we are the United States of America.

However, there are times when you do not have an ear that is listening. Senator BYRD, as the chairman of the Appropriations Committee, opened his doors to us, opened his heart to us, opened his experience to us, and was always there for us. I so remember that, time after time.

I went to see him about our water problems. We have lots of water problems. We have cities and suburbs that need the water. We have fishermen who need the water. We have agriculture that needs the water. All the stakeholders have very difficult debates over water. Senator FEINSTEIN and I again have teamed up on this and we have always had a willing listener in ROBERT C. BYRD, who understood and helped us get the stakeholders to the table to find ways to preserve, to conserve, and increase the supply in a smart way for all those stakeholders.

These things are very big to the people of California, who probably have not connected ROBERT BYRD to California. But in all of these cases where we were so in need, he was there for us.

I remember so well his leadership in trying to bring the troops home from Iraq. Twenty-three of us stood up and said no to that war because we thought it meant taking our eye off Osama bin Laden and what was happening in Afghanistan and turning around and going into Iraq. We worried very much