

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22  
U.S.C. 1754(b), CODEL REID FOR TRAVEL FROM APR. 1 TO JUNE 30, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
China .....	Yuan .....		0.00						
Dr. Brian Monahan:									
Hong Kong .....	Dollar .....		941.00						941.00
China .....	Yuan .....		1,409.00						1,409.00
Michael Castellano:									
Hong Kong .....	Dollar .....		1,040.00						1,040.00
China .....	Yuan .....		1,507.00						1,507.00
Jon Summers:									
Hong Kong .....	Dollar .....		1,040.00						1,040.00
China .....	Yuan .....		1,507.00						1,507.00
Stephen Krupin:									
Hong Kong .....	Dollar .....		1,040.00						1,040.00
China .....	Yuan .....		1,507.00						1,507.00
Terrell Henry:									
Hong Kong .....	Dollar .....		1,040.00						1,040.00
China .....	Yuan .....		1,507.00						1,507.00
Julia Reed:									
Hong Kong .....	Dollar .....		940.00						940.00
China .....	Yuan .....		1,438.48						1,438.48
*Delegation Expenses:									
Hong Kong .....							10,931.08		10,931.08
China .....							20,070.19		20,070.19
Total .....			35,599.39				31,001.27		66,600.66

SENATOR HARRY REID,

Majority Leader, July 22, 2011.

\*Delegation expenses include payments and reimbursements to the Department of State, and the Department of Defense under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95-384, and S. Res. 179 agreed to May 25, 1977.

### THANKING SENATE STAFF

Mr. REID. Mr. President, first of all, I appreciate your patience presiding over the Senate at this late hour. I extend my appreciation to this staff, everybody here, for all this work. About the last month has been very difficult. I appreciate very much the professionalism that is shown here in the Senate and the efforts they go to to make all of us look good. Sometimes that takes a lot of effort. But I do appreciate their working so hard together here at the desk. If there is ever anything that is bipartisan, it is right here, Republicans and Democrats, and there is no partisanship on the Senate floor. Step back a little bit and there is when we are away from the professional staff, but I appreciate very much their hard work.

### EXTENSION OF THE FEDERAL AVIATION ADMINISTRATION

Mr. REID. Mr. President, we have tried for days now to change what the Republicans in the House have tried to do to the American people. In fact, it appears they are going to be able to do it. We have the extension of the Federal Aviation Administration legislation that is being held up. We wanted a temporary extension for the next few weeks. We have already extended it more than 20 times. We thought we should do it again. We have done that. That has been routine until we get some of the big issues worked out. But Republicans wanted to increase the ante a little bit this time with essential air service. In Pennsylvania, some of the rural areas—the Presiding Officer is from Pennsylvania; of course, Nevada has a lot of rural areas, and other States. Even the heavily populated State of New York has essential air service. Essential air service was

set up a long time ago to allow underpopulated areas to be able to be in touch with the rest of the States.

The Republicans have tried to eliminate essential air service. That is the ransom we are asking now for an extension of the FAA bill. I am not going to ask consent today; we have asked it many times. But I want the RECORD to be spread with how unreasonable it is, what the Republicans have done. As a result of their activities, the House Republicans, we have 80,000 people who will not be working now—80,000 people, more than 70,000 construction workers and thousands of people who are employees of the Federal Aviation Administration.

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

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

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

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

The facts of the crisis over the debt ceiling aren't complicated. Republicans have, in effect, taken America hostage, threatening to

undermine the economy and disrupt the essential business of government unless they get policy concessions they would never have been able to enact through legislation.

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

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

He went on to say more and then he said:

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

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

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

I am not going to ask consent, but I want the American people to know why essential air service is being attacked

and why 80,000 people are basically today not going to be able to go to work tomorrow.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

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

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

#### THE LEAHY-SMITH AMERICA INVENTS ACT—MOTION TO PROCEED

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (H.R. 1249) to amend title 35, United States Code, to provide for patent reform.

#### CLOTURE MOTION

Mr. REID. 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 assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 87, H.R. 1249, the Leahy-Smith America Invents Act.

Harry Reid, Patrick J. Leahy, Thomas R. Carper, Joseph I. Lieberman, Richard Blumenthal, Charles E. Schumer, Amy Klobuchar, Robert Menendez, Jeanne Shaheen, John F. Kerry, Mark Udall, Mark R. Warner, Ben Nelson, Jeff Bingaman, Max Baucus, Mark Begich, Robert P. Casey, Jr.

Mr. REID. I now ask unanimous consent that on Tuesday, September 6, following the disposition of the nomination of Bernice Bouie Donald and the resumption of the legislative session, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to Calendar No. 87, H.R. 1249; further, that the mandatory quorum under rule XXII be waived.

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

#### THE CALENDAR

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

to the following Environment and Public Works bills, en bloc: Calendar No. 72, S. 710; and Calendar No. 117, S. 1302.

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

Mr. REID. It is my understanding that the Chair has granted consent for the Senate to proceed to the consideration of those two bills; is that right?

The PRESIDING OFFICER. That is correct.

Mr. REID. I ask unanimous consent that the bills be read a third time and passed, en bloc; the motions to reconsider be laid upon the table en bloc, and any relevant statements be printed in the RECORD.

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

#### HAZARDOUS WASTE ELECTRONIC MANIFEST ESTABLISHMENT ACT

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

#### S. 710

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Hazardous Waste Electronic Manifest Establishment Act".

#### SEC. 2. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(a) IN GENERAL.—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following:

#### "SEC. 3024. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

"(a) DEFINITIONS.—In this section:

"(1) BOARD.—The term 'Board' means the Hazardous Waste Electronic Manifest System Advisory Board established under subsection (f).

"(2) FUND.—The term 'Fund' means the Hazardous Waste Electronic Manifest System Fund established by subsection (d).

"(3) PERSON.—The term 'person' includes an individual, corporation (including a Government corporation), company, association, firm, partnership, society, joint stock company, trust, municipality, commission, Federal agency, State, political subdivision of a State, or interstate body.

"(4) SYSTEM.—The term 'system' means the hazardous waste electronic manifest system established under subsection (b).

"(5) USER.—The term 'user' means a hazardous waste generator, a hazardous waste transporter, an owner or operator of a hazardous waste treatment, storage, recycling, or disposal facility, or any other person that—

"(A) is required to use a manifest to comply with any Federal or State requirement to track the shipment, transportation, and receipt of hazardous waste or other material that is shipped from the site of generation to an off-site facility for treatment, storage, disposal, or recycling; and

"(B)(i) elects to use the system to complete and transmit an electronic manifest format; or

"(ii) submits to the system for data processing purposes a paper copy of the manifest (or data from such a paper copy), in accord-

ance with such regulations as the Administrator may promulgate to require such a submission.

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

#### "(c) USER FEES.—

"(1) IN GENERAL.—The Administrator may impose on users such reasonable service fees as the Administrator determines to be necessary to pay costs incurred in developing, operating, maintaining, and upgrading the system, including any costs incurred in collecting and processing data from any paper manifest submitted to the system after the date on which the system enters operation.

"(2) COLLECTION OF FEES.—The Administrator shall—

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

"(B) deposit the fees in the Fund for use in accordance with this subsection.

#### "(3) FEE STRUCTURE.—

"(A) IN GENERAL.—The Administrator, in consultation with information technology vendors, shall determine through the contract award process described in subsection (e) the fee structure that is necessary to recover the full cost to the Administrator of providing system-related services, including costs relating to—

"(i) materials and supplies;

"(ii) contracting and consulting;

"(iii) overhead;

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

"(v) information management;

"(vi) collection of service fees;

"(vii) investment of any unused service fees;

"(viii) reporting and accounting;

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

"(x) project management.

"(B) ADJUSTMENTS IN FEE AMOUNT.—

"(i) IN GENERAL.—The Administrator, in consultation with the Board, shall increase or decrease amount of a service fee determined under the fee structure described in subparagraph (A) to a level that will—

"(I) result in the collection of an aggregate amount for deposit in the Fund that is sufficient to cover current and projected system-related costs (including any necessary system upgrades); and

"(II) minimize, to the maximum extent practicable, the accumulation of unused amounts in the Fund.

"(ii) EXCEPTION FOR INITIAL PERIOD OF OPERATION.—The requirement described in clause (i)(II) shall not apply to any additional fees that accumulate in the Fund, in an amount that does not exceed \$2,000,000, during the 3-year period beginning on the date on which the system enters operation.

"(iii) TIMING OF ADJUSTMENTS.—Adjustments to service fees described in clause (i) shall be made—

"(I) initially, at the time at which initial development costs of the system have been recovered by the Administrator such that the service fee may be reduced to reflect the elimination of the system development component of the fee; and

"(II) periodically thereafter, upon receipt and acceptance of the findings of any annual accounting or auditing report under subsection (d)(6), if the report discloses a significant disparity for a fiscal year between the funds collected from service fees under this