

Whereas school boards are deliberative bodies of adults, similar to a legislature in that they are elected by the people, act in the public interest, and hold sessions that are open to the public for voluntary attendance; and

Whereas voluntary prayer by an elected body should be protected under law and encouraged in society because voluntary prayer has become a part of the fabric of our society, voluntary prayer acknowledges beliefs widely held among the people of the Nation, and the Supreme Court has held that it is not a violation of the Establishment Clause for a public body to invoke divine guidance: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that prayer before school board meetings is a protected act in accordance with the fundamental principles upon which the Nation was founded; and

(2) expresses support for the practice of prayer at the beginning of school board meetings.

**SENATE RESOLUTION 19—TO REQUIRE THAT A DESCRIPTIVE SUMMARY OF EACH PROVISION OF ANY LEGISLATIVE MATTER BE AVAILABLE 72 HOURS BEFORE CONSIDERATION BY ANY SUBCOMMITTEE OR COMMITTEE OF THE SENATE OR ON THE FLOOR OF THE SENATE**

Mr. ENSIGN submitted the following resolution; which was referred to the Committee on Rule and Administration:

S. RES. 19

*Resolved*,

**SECTION 1. PUBLIC AVAILABILITY OF A DESCRIPTIVE SUMMARY OF EACH PROVISION OF LEGISLATION.**

(a) COMMITTEES.—Rule XXVI of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

“14. (a) It shall not be in order in a subcommittee or committee to proceed to any legislative matter unless the legislative matter and a descriptive summary of each provision of the legislative matter has been publicly available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

“(b) With respect to the requirements of subparagraph (a), the legislative matter and descriptive summary of each provision shall be available on the official website of the committee.

“(c) This paragraph may be waived or suspended in the subcommittee or committee only by an affirmative vote of  $\frac{2}{3}$  of the Members of the subcommittee or committee. An affirmative vote of  $\frac{2}{3}$  of the Members of the subcommittee or committee shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

“(d)(1) It shall not be in order in the Senate to proceed to a legislative matter if the legislative matter was proceeded to in a subcommittee or committee in violation of this paragraph.

“(2) This subparagraph may be waived or suspended in the Senate only by an affirmative vote of  $\frac{2}{3}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{2}{3}$  of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this subparagraph.

“(e) In this paragraph, the term ‘legislative matter’ means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment.”.

(b) SENATE.—Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

“6. (a) It shall not be in order in the Senate to proceed to any legislative matter unless the legislative matter and a descriptive summary of each provision of the legislative matter has been publicly available on the Internet as provided in subparagraph (b) in searchable form 72 hours (excluding Saturdays, Sundays and holidays except when the Senate is in session on such a day) prior to proceeding.

“(b) With respect to the requirements of subparagraph (a), the legislative matter and descriptive summary of each provision shall be available on the official website of the committee with jurisdiction over the subject matter of the legislative matter.

“(c) This paragraph may be waived or suspended in the Senate only by an affirmative vote of  $\frac{2}{3}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{2}{3}$  of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this paragraph.

“(d) In this paragraph, the term ‘legislative matter’ means any bill, joint resolution, concurrent resolution, conference report, or substitute amendment.”.

**SEC. 2. PROTECTION OF CLASSIFIED INFORMATION.**

Nothing in this resolution or any amendment made by this resolution shall be interpreted to require or permit the declassification or posting on the Internet of classified information in the custody of the Senate. Such classified information shall be made available to Members in a timely manner as appropriate under existing laws and rules.

**SENATE RESOLUTION 20—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SHOULD IMMEDIATELY APPROVE THE UNITED STATES-KOREA FREE TRADE AGREEMENT, THE UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT, AND THE UNITED STATES-PANAMA TRADE PROMOTION AGREEMENT**

Mr. JOHANNES (for himself, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. ROBERTS, Mr. BOOZMAN, Mr. CORNYN, Mr. PORTMAN, Mr. INHOFE, Mr. ENZI, Mr. LUGAR, Mr. WICKER, and Mr. CHAMBLISS) submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 20

Whereas the United States has signed free trade agreements with South Korea, Colombia, and Panama, but Congress has not approved those agreements;

Whereas, according to the United States International Trade Commission, the gross domestic product of the United States will likely increase by \$10,100,000,000 to \$11,900,000,000 as a result of increased access to the market of South Korea under the provisions of the United States-Korea Free Trade Agreement;

Whereas, according to the United States International Trade Commission, implementing the United States-Korea Free Trade Agreement will increase exports from the United States by an estimated \$9,700,000,000 to \$10,900,000,000 each year;

Whereas, according to the United States International Trade Commission, implementing the United States-Korea Free Trade Agreement would create 20,000 to 24,000 jobs in the United States;

Whereas the implementation of the United States-Korea Free Trade Agreement will ensure that agricultural products exported from the United States to South Korea receive treatment equivalent to the treatment provided by the United States to agricultural products exported from South Korea and will significantly increase exports of agricultural products from the United States to South Korea;

Whereas the American Farm Bureau estimates an increase of \$1,800,000,000 in United States agricultural trade per year after the United States-Korea Free Trade Agreement is fully implemented;

Whereas increased trade will help to strengthen ties between the United States and South Korea and advance important national security goals;

Whereas the United States and Colombia negotiated and signed the United States-Colombia Trade Promotion Agreement on November 22, 2006;

Whereas, according to the Office of the United States Trade Representative, Colombia is currently the 27th largest trading partner of the United States with respect to goods;

Whereas, according to the United States International Trade Commission, implementation of the United States-Colombia Trade Promotion Agreement will increase exports from the United States by an estimated \$1,100,000,000 each year;

Whereas, according to the United States International Trade Commission, implementation of the United States-Colombia Trade Promotion Agreement will create 3,693 jobs;

Whereas, in 2010, more than 90 percent of exports from Colombia to the United States entered the United States duty-free under the Andean Trade Preference Act (19 U.S.C. 3201 et seq.) and the Generalized System of Preferences under title V of the Trade Act of 1974 (19 U.S.C. 2461 et seq.);

Whereas, according to the United States International Trade Commission, goods valued at \$11,400,000,000 were exported from the United States to Colombia in 2008, an increase from \$3,600,000,000 in 2002;

Whereas, according to the Office of the United States Trade Representative, more than 80 percent of consumer and industrial products exported from the United States to Colombia will enter Colombia duty-free as soon as the United States-Colombia Trade Promotion Agreement enters into force and all remaining tariffs on such products will be eliminated within 10 years after the Agreement enters into force;

Whereas, according to the Office of the United States Trade Representative, the primary exports from the United States to Colombia in 2008 were \$2,600,000,000 in machinery, \$10,000,000,000 in mineral fuel, \$974,000,000 in organic chemicals, \$969,000,000 in corn and wheat cereals, and \$950,000,000 in electrical machinery;

Whereas, according to the Office of the United States Trade Representative, Colombia is the 15th largest market for farm products exported from the United States, with the United States exporting almost \$1,700,000,000 worth of farm products to Colombia in 2008;

Whereas, according to the Department of Agriculture, 99.9 percent of agricultural products imported into the United States from Colombia already enter the United States duty-free, but no agricultural products exported from the United States to Colombia currently enter Colombia duty-free;

Whereas, according to the American Farm Bureau Federation, the United States-Colombia Trade Promotion Agreement would increase sales of agricultural products produced in the United States by \$910,000,000 each year;

Whereas, according to the Department of Agriculture, more than half of agricultural products exported from the United States to Colombia will enter Colombia duty-free as soon as the United States-Colombia Trade Promotion Agreement enters into force and all remaining tariffs on such products will be phased out over time;

Whereas the United States and Panama, after 10 rounds of negotiations, signed the United States-Panama Trade Promotion Agreement on December 16, 2006;

Whereas the United States values its long-standing bilateral relationship with Panama;

Whereas the National Assembly of Panama ratified the United States-Panama Trade Promotion Agreement by a vote of 58 to 4 on July 11, 2007;

Whereas 88 percent of United States commercial and industrial exports will enter Panama duty-free immediately after the United States-Panama Trade Promotion Agreement enters into force and all remaining tariffs on such exports will be phased out over 10 years;

Whereas more than 60 percent of exports of agricultural products from the United States will enter Panama duty-free immediately after the United States-Panama Trade Promotion Agreement enters into force and all remaining tariffs on agricultural products will be phased out over 20 years;

Whereas, according to the United States International Trade Commission, the primary effect of the implementation of the United States-Panama Trade Promotion Agreement will be to increase exports from the United States to Panama because 96 percent of imports from Panama already enter the United States duty-free; and

Whereas concerns about Panama's alleged position as a "tax haven" have been addressed with the November 30, 2010, signing of a United States-Panama Tax Information Exchange Agreement, which permits the competent authorities of the United States and Panama to request information on most taxes to better increase transparency in an attempt to combat illegal financial transactions, including those linked to drug smuggling and money laundering: Now, therefore, be it

*Resolved, That—*

(1) the Senate recognizes that the implementation of the United States-Korea Free Trade Agreement, the United States-Colombia Trade Promotion Agreement, and the United States-Panama Trade Promotion Agreement will—

(A) create jobs in the United States;

(B) increase export opportunities for businesses and agricultural producers in the United States; and

(C) further develop cross-cultural business relationships between the United States and South Korea, Colombia, and Panama, respectively; and

(2) it is the sense of the Senate that it is in the security, economic, and diplomatic interests of the United States to enhance relationships with South Korea, Colombia, and Panama, respectively, by immediately approving the United States-Korea Free Trade Agreement, the United States-Colombia Trade Promotion Agreement, and the United States-Panama Trade Promotion Agreement.

## SENATE RESOLUTION 21—TO AMEND THE STANDING RULES OF THE SENATE TO PROVIDE PROCEDURES FOR EXTENDED DEBATE

Mr. MERKLEY (for himself and Mr. UDALL of New Mexico) submitted the following resolution; which was submitted and read:

S. RES. 21

*Resolved,*

### SECTION 1. EXTENDED DEBATE.

Paragraph 2 of rule XXII of the Standing Rules of the Senate is amended—

(1) designating the first 3 undesignated paragraphs as subparagraphs (a), (b), and (d), respectively;

(2) in subparagraph (d), as designated by paragraph (1), by striking "Thereafter" and inserting "If the Senate agrees to bring debate to a close under paragraphs 2 or 3, thereafter"; and

(3) inserting after subparagraph (b), as designated by paragraph (1), the following:

"(c)(1) If the Senate has voted against closing debate on a measure, motion, or other matter under subparagraph (b), but a majority of senators present and voting have voted to bring debate to a close, then the procedures under this subparagraph shall be in order at any time, so long as that measure, motion or other matter has continued as the only pending business subsequent to the vote against closing debate.

"(2) Under the circumstances described in clause (1), it shall be in order for the Majority Leader or his designee to move to bring debate on the pending measure, motion, or other matter to a close on the grounds that no Senator seeks recognition to debate the matter. Immediately after the motion is made and before putting the question thereon, the Presiding Officer shall immediately inquire whether any Senator seeks recognition for the purpose of debating the measure, motion or other matter on which the Senate had previously voted against closing debate under subparagraph (b). If a Senator seeks recognition for that purpose, the Presiding Officer shall announce that the Senate is proceeding under extended debate, and shall recognize a Senator who seeks recognition for debate. After the Presiding Officer's announcement under the preceding sentence the Senate shall continue to proceed under extended debate subject to the conditions provided in clause (3). Notwithstanding rule XIX, Senators may speak more than twice on a question during extended debate.

"(3)(A) If the Senate enters into extended debate under this clause, no dilatory motions, motions to suspend any rule or any part thereof, nor dilatory quorum calls shall be entertained.

"(B) If during extended debate the proceedings described in either subclause (C), (D), or (E) occur and unless the Majority Leader or his designee withdraws the motion made under clause (2), the Senate shall proceed immediately to vote on that motion or to vote at a time designated by the Majority Leader or his designee within the next 4 calendar days of Senate session. When voted on, that motion shall be decided by a majority of Senators chosen and sworn.

"(C) If, at any point during extended debate when no Senator is recognized, no Senator seeks recognition, the Presiding Officer shall renew the inquiry as to whether a Senator seeks recognition and shall recognize a Senator who seeks recognition for the purpose of debate. If no Senator then seeks recognition (or if no Senator sought recognition in response to the Presiding Officer's inquiry under clause (2)), the Senate shall dispose of

the motion of the Majority Leader (or his designee) to bring debate to a close pursuant to clause (2), in the manner specified in subclause (B).

"(D)(i) If, at any point during extended debate, a Senator raises a question of the presence of a quorum, the Presiding Officer shall renew the inquiry as to whether a Senator seeks recognition, and shall recognize a Senator who seeks recognition for debate.

"(ii) If no Senator then seeks recognition for debate—

"(I) the Presiding Officer shall direct the Clerk to call the roll;

"(II) upon the establishment of a quorum, the Senate shall dispose of the motion of the Majority Leader (or his designee) to bring debate to a close pursuant to clause (2) in the manner specified in subclause (B); and

"(III) if the Senate adjourns for lack of a quorum and when the Senate next convenes and the morning hour or any period for morning business is expired or is deemed to be expired, the Senate shall dispose of the motion of the Majority Leader (or his designee) made to bring debate to a close pursuant to clause (2) in the manner specified in subclause (B).

"(E)(i) If, at any point during extended debate, a Senator having been recognized moves to adjourn, recess, postpone the pending matter, or proceed to other business, then unless the motion is made or seconded by the Majority Leader or his designee, the Presiding Officer shall renew the inquiry as to whether a Senator seeks recognition, and shall recognize a Senator who seeks recognition for debate, and said motion shall be considered withdrawn. If no Senator then seeks recognition for debate, then the Presiding Officer shall immediately put the question on the motion offered, unless the vote is delayed as provided in item (ii). If the Senate agrees to a motion to adjourn or recess it shall resume consideration of the pending measure, motion or other matter pending at the time of adjournment or recess when it first takes up business after it next reconvenes, and the Senate shall still be in a period of extended debate. Upon the negative disposition of the motion to adjourn, recess, postpone, or proceed to other business, unless such motion was made by the majority leader or his designee, the Senate shall dispose of the motion of the Majority Leader (or his designee) to bring debate to a close pursuant to clause (2) in the manner specified in subclause (B).

"(F) During a period of extended debate, the Majority Leader or his designee may delay any vote until a designated time within the next 4 calendar days of Senate session, and any votes ordered or occurring thereafter shall likewise be delayed.

"(4) If the motion of the Majority Leader to bring debate to a close pursuant to clause (3)(B) is agreed to by a majority of Senators chosen and sworn, the Presiding Officer shall announce that extended debate is ended and that the measure, motion, or other matter pending before the Senate shall be the unfinished business to the exclusion of all other business until disposed of and further proceedings on the measure, motion or other matter shall occur in accordance with subparagraph (d). If the Majority Leader withdraws the motion to bring debate to a close pursuant to clause (3)(B) or that motion is not agreed to by a majority of Senators chosen and sworn the Presiding Officer shall announce that extended debate is ended.

"(5) If extended debate on a measure, motion or other matter is ended under this subparagraph, other than by agreement to the motion made by the Majority Leader under clause (4), further consideration of the measure, motion or other matter shall occur as otherwise provided by the rules, except that