

the Treasury from expanding United States bank reporting requirements with respect to interest on deposits paid to nonresident aliens.

S. 1507

At the request of Mr. HATCH, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1507, a bill to provide protections from workers with respect to their right to select or refrain from selecting representation by a labor organization.

S. 1508

At the request of Mr. MENENDEZ, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from California (Mrs. BOXER), the Senator from Hawaii (Mr. INOUE), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1508, a bill to extend loan limits for programs of the Federal Housing Administration, the government-sponsored enterprises, and the Department of Veterans Affairs, and for other purposes.

S. 1527

At the request of Mrs. HAGAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1527, a bill to authorize the award of a Congressional gold medal to the Mottford Point Marines of World War II.

S. 1528

At the request of Mr. JOHANNIS, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1528, a bill to amend the Clean Air Act to limit Federal regulation of nuisance dust in areas in which that dust is regulated under State, tribal, or local law, to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, and for other purposes.

S. 1530

At the request of Mr. JOHANNIS, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1530, a bill to amend chapter 8 of title 15, United States Code, to provide for congressional review of agency guidance documents.

S. 1531

At the request of Mr. JOHANNIS, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1531, a bill to provide a Federal regulatory moratorium, and for other purposes.

S. RES. 248

At the request of Mr. KERRY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Res. 248, a resolution supporting the goals and ideals of National Brain Aneurysm Awareness Month.

S. RES. 253

At the request of Mr. HOEVEN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 253, a resolution designating October 26, 2011, as "Day of the Deployed".

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. ALEXANDER, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. CORNYN, Mr. HOEVEN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KYL, Mr. MORAN, Mr. THUNE, Mr. KIRK, and Mr. ROBERTS):

S. 1538. A bill to provide for a timeout on certain regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, last month's dire economic news is a call to urgent action to get America working again. In August, our Nation produced no net new jobs. Productivity fell. Home sales fell. Construction spending fell. The manufacturing index declined. Unemployment is stagnant at 9.1 percent, and consumer confidence is plummeting.

Businesses, our Nation's job creators and the engine of any lasting economic growth, have been saying for some time that the lack of jobs is largely due to a climate of uncertainty, most notably the uncertainty and cost created by new Federal regulations.

The Regulatory Time-Out Act, which I am introducing today with 16 of my colleagues, provides job creators with a sensible breather from these burdensome new regulations. This would give businesses time to get back on their feet, create the jobs that Americans so desperately need, and enhance the global competitiveness of American workers.

Let me make clear that we also need to reform the process for issuing regulations. Earlier this year I proposed the CURB Act, which stands for Clearing Unnecessary Regulatory Burdens. The CURB Act would require agencies to examine the costs and benefits of proposed rules, prohibit them from attempting to set rules through unofficial guidance documents—thus circumventing the public notice and comment period—and provide businesses with relief from first-time paperwork violations when no harm comes from the violation. Senators BARRASSO and ROBERTS joined me in introducing this bill.

Indeed, as I am sure you are aware, many of our colleagues have recognized the need to reform the regulatory process and have introduced their own proposals. The Homeland Security and Governmental Affairs Committee has already held three hearings on regulatory reform this year, and I expect this issue will be a priority for our committee this fall.

But the fact is, our economy cannot wait for Congress to complete an overhaul of the regulatory process. If we want to create more jobs, we must act now. We must send a clear signal to the job creators that we have heard them. That is why I believe we must have a timeout from any significant new regulation that would have an adverse im-

pact on jobs, the economy, or our international competitiveness.

Under my bill, no significant final rule that would have an adverse impact could go into effect during a 1-year moratorium. This timeout would cover major rules costing more than \$100 million per year, and other rules that have been considered "significant" under Executive orders going back to President Clinton and followed by President George W. Bush and President Obama.

Let me give an example of a rule that would be covered by the 1-year moratorium I am proposing. A rule that would be covered by this definition is EPA's Boiler MACT rule. I am sure the Presiding Officer is familiar with this rule. This one regulation, if it were fully implemented, could cost Maine's employers alone hundreds of millions of dollars. In fact, as the Wall Street Journal has recently reported, a jobs study just released shows that Boiler MACT, along with other pending air regulations, could cause 36 pulp and paper mills around the country to close, putting more than 20,000 Americans out of work. That is 18 percent of that industry's workforce. That shows you the potent and terrible impact excessive regulation can have on job preservation and job creation.

And that is just for starters. Once these mills close, the businesses that supply them would also be forced to lay off workers. Estimates are that nearly 90,000 Americans would lose their jobs, wages would drop by \$4 billion, and government at all levels would see revenues decline by a staggering \$1.3 billion.

That is why, along with Senator RON WYDEN, I have introduced a Boiler MACT bill that 24 of our colleagues on both sides of the aisle have already cosponsored. Our bill has been endorsed by 292 employer organizations and individual businesses—292 businesses and organizations representing employers. That shows you how worried our job creators are about the impact of just this one set of rules. Their letter sums up the impact of the Boiler MACT rule very plainly. It says:

These rules place at risk tens of thousands of high-paying manufacturing jobs that our Nation cannot afford to lose.

The Boiler MACT regulations are exactly the kind of significant rules that my Regulatory Time-Out Act is intended to reach. The moratorium applies to rules issued by independent regulatory agencies such as the National Labor Relations Board as well as executive branch departments.

The impact of the regulatory burden under President Obama can be seen in the pages of the *Federal Register*. As my colleagues know, the *Federal Register* is the publication for all Federal regulations. Last year alone, the *Federal Register* expanded by nearly 82,600 pages, a level higher than any year under President Bush. Worse yet, the Obama administration has 144 rules in the pipeline that would each cost the economy at least \$100 million. This is

nearly twice as high as the number of such rules that were in the pipeline each year of the Bush administration.

Let me clarify that the legislation I am proposing exempts those rules that are needed in emergencies such as imminent threats to public health or safety, as well as rules that are necessary to enforce our criminal laws, and with respect to military or foreign affairs. I think it is important that I put that on the record.

It also exempts rules that would reduce the regulatory burden, in order to help the private sector create jobs and boost the ability of American workers to compete. Unfortunately, those rules that actually reduce regulatory burdens and promote jobs are few and far between.

Finally, my bill requires that within 10 days of passage, agencies and departments must submit to Congress and to the Office of Management and Budget the list of rules they believe are exempt from the 1-year moratorium. That is important to make sure the intent of the law is followed and that Congress and the administration can exercise appropriate oversight.

The intent of my bill is to lift the cloud of uncertainty that is causing employers to be cautious and to refrain from creating jobs—jobs our economy desperately needs.

During the August recess, I asked employers throughout the great State of Maine what it would take to encourage them to add jobs. To a person, no matter what line of business these employers were in, no matter what the size of their workforce, each one of them replied that Washington needed to stop imposing crushing new regulations; that these job creators needed stable pro-growth economic policies; that they needed an end to the uncertainty that was hampering their decisionmaking.

I am pleased that the Regulatory Time-Out Act has been endorsed by the NFIB, our Nation's largest small business advocacy group, and by the Small Business & Entrepreneurship Council. My bill has also been welcomed by the U.S. Chamber of Commerce, which has stated:

American businesses need immediate relief. A "time out" would allow both the regulators and the regulated to take a deep breath and ensure that regulations are not destroying jobs and economic growth.

I agree completely. I will ask that the letters from the NFIB, the SBEC, and the statement by the Chamber of Commerce, be printed in the RECORD at the conclusion of my remarks.

I am honored to have the following colleagues as cosponsors of this 1-year regulatory moratorium: Senators ALEXANDER, BARRASSO, BLUNT, BOOZMAN, CHAMBLISS, COATS, COBURN, CORNYN, HOEVEN, HUTCHISON, ISAKSON, KIRK, KYL, MORAN, ROBERTS and THUNE.

I urge all of our colleagues to support the Regulatory Time-Out Act, which is a critical step toward easing the regu-

latory uncertainty and costs that are keeping our job creators from getting Americans back to work.

Mr. President, I ask unanimous consent that materials of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEPTEMBER 6, 2011.

Hon. JOHN A. BOEHNER,

*House of Representatives, Longworth House Office Building, Washington, DC.*

Hon. NANCY PELOSI,

*House of Representatives, Cannon House Office Building, Washington, DC.*

Hon. HARRY M. REID,

*U.S. Senate, Hart Senate Office Building, Washington, DC.*

Hon. MITCH MCCONNELL,

*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SPEAKER BOEHNER; MINORITY LEADER PELOSI; MAJORITY LEADER REID; MINORITY LEADER MCCONNELL: We are writing to express our united and strong support for H.R. 2250 and S. 1392, the "EPA Regulatory Relief Act of 2011," bipartisan legislation to address the serious concerns that remain with EPA's Boiler MACT rules. As they exist today, the final Boiler MACT rules will have serious economic impacts on a vast array of facilities across the industrial, commercial and institutional sectors. These rules place at risk tens of thousands of high-paying manufacturing jobs that our nation cannot afford to lose.

As finalized, the Boiler MACT rules are unaffordable, just as the proposed rules were. The rules are not achievable for real-world boilers across the range of fuels and operating conditions. EPA also has created a presumption that materials commonly used as fuels are wastes subject to the extremely costly and stigmatizing incinerator standards. This would not only impose billions of dollars in unreasonable costs, but it also would cause millions of tons of valuable materials to be diverted to landfills and replaced with fossil fuel—a bad result for the environment.

As EPA has acknowledged, the rules were finalized with serious flaws because EPA was forced to meet a strict court-ordered deadline. The final Boiler MACT rule alone would cost over \$14 billion in capital for the manufacturing sector, plus billions more in annual operating costs. Complying with the incinerator standards could cost several billion dollars more in capital.

Legislation is needed to resolve serious uncertainties and vulnerabilities, including to:

Ensure the rules are stayed for an adequate and certain period, as EPA's current administrative stay is being challenged in court;

Allow EPA adequate time to re-propose the rules and get them right, including time for stakeholders to conduct more emissions testing and to avoid mistakes that occur when rulemakings of this scope and importance are rushed and become vulnerable to legal challenge;

Provide direction and support for EPA to use the discretion it already has under the Clean Air Act and Executive Order 13563 to add flexibility and make the rules achievable;

Clarify that using non-hazardous materials as fuels does not result in boilers being treated as incinerators; and

Give facilities more time to comply with the complex and capital-intensive requirements of the rules.

If enacted, the "EPA Regulatory Relief Act" will provide the much-needed certainty

and time for EPA to get the rules right and for businesses that will be investing billions of dollars to rationally plan for the capital expenses. This legislation will preserve jobs and the competitiveness of the U.S. manufacturing sector while protecting the environment.

We urge you to pass this important legislation as soon as possible and send it to the President for his signature.

Sincerely,

A/C Power Colver; AbitibiBowater; Alabama Forestry Association; Alabama Pulp & Paper Council; Allegheny Hardwood Utilization Group, Inc.; American Architectural Manufacturers Association; American Chemistry Council; American Coatings Association; American Coke & Coal Chemicals Institute; American Composites Manufacturers Association; American Fiber Manufacturers Association; American Forest & Paper Association; American Foundry Society; American Frozen Food Institute; American Home Furnishings Alliance; American Loggers Council; American Municipal Power; American Petroleum Institute; American Sugar Cane League; American Wood Council.

Amerities Holdings LLC; Anthony Liftgates, Inc.; APA—The Engineered Wood Association; Appleton Papers Inc.; APUs by Rex, LLC; Archer Daniels Midland Company; ARIPPA; Arkansas Forestry Association; Arkansas State Chamber of Commerce; Associated Industries of Arkansas, Inc.; Associated Industries of Vermont; Association of American Railroads; Association of Independent Corrugated Converters; Atlantic Wood Industries, Inc.; Barge Forest Products Co.; Beet Sugar Development Foundation; Belden Brick Company; Belimed, Inc.; Bennett Lumber Company Berco, Inc.

Biomass One, LP; Biomass Power Association; Blue Bell Creameries; Blue Ridge Paper Products; Boise Cascade, LLC; Boise Inc.; Brick Industry Association; Business Council of Alabama; Business Roundtable; Cahaba Timber Co.; California Forestry Association; California League of Food Processors; California Metals Coalition; Canyon Creek Logging; Carolina Cotton Works, Inc.; Cement Kiln Recycling Coalition; Chaney Lumber Co., Inc.; Charles Ingram Lumber Co.; Coast Wood Preserving, Inc.; Coastal Plywood Company; Collins Pine Company.

Colorado Association of Commerce & Industry; Composite Panel Association; Construction Materials Recycling Association; Corn Refiners Association; Council of Industrial Boiler Owners; Cresote Council; Decker Energy International, Inc.; Dietz & Watson, Inc.; Domtar Corporation; Douglas County Forest Products; Eastman Chemical Company; Eaton Corporation; Electric Mills Wood Preserving; Empire State Forest Products Association; Evergreen Packaging; Fibrek; Finch Paper LLC; Flakeboard America; Flambeau River Papers; Florida Forestry Association.

Florida Pulp and Paper Association; Flow-er City Tissue Mills Co., Inc.; FMC Corporation; Forest Landowners Association; Forest Resources Association Inc.; Forging Industry Association; Fowler Post Co, Inc.; Fox River Fiber Company; Genesee Power Station LP; George A. Whiting Paper Company; Georgia Association of Manufacturers; Georgia Paper & Forest Products Association, Inc.; Georgia-Pacific LLC; Glatfelter; Glier's Meats, Inc.; Green Diamond Resources Company; H. W. Culp Lumber Co.; Hardwood Federation; Hardwood Manufacturers Association; Hardwood Plywood and Veneer Association.

Harrigan Lumber Co., Inc.; Hawaii Forest Industry Association; Hesse and Sons Dairy LLC; Hood Industries, Inc.; Idaho Forest Group; INDA, Association of the Nonwoven

Fabrics Industry; Indiana Hardwood Lumbermen's Association; Industrial Energy Consumers of America; Industrial Fastener Institute; Industrial Minerals Association—North America; Innovative Pine Technology Inc.; Interior; International Falls Chamber of Commerce (MN); International Paper; J.T. Fennell Company, Inc.; JELD-WEN, Inc.; Jordan Lumber & Supply, Inc.; Kansas City Power & Light; Kapstone Paper and Packaging Corporation; Kentucky Forest Industries Association.

Kercher Industries, Inc.; Kitchen Cabinet Manufacturers Association; Koppers Inc.; Lake States Lumber Association; Land O Lakes Wood Preserving Co.; Langdale Forest Products Co.; L'anse Warden Electric Company, LLC; Leggett & Platt, Incorporated; Longview Fibre Paper and Packaging, Inc.; Louis Dreyfus Agricultural Industries; Louisiana Farm Bureau Federation; Louisiana Pacific Corporation; Louisiana Pulp and Paper Association; LyondellBasell Industries; Maine Pulp & Paper Association; Manufacture Alabama; Manufacturers and Chemical Industry Council of North Carolina; Maple Flooring Manufacturers Association; Maxi-Seal Harness Systems, Inc.; McShan Lumber Company, Inc.

MeadWestvaco; Melrose Timber Company, Inc.; Metal Treating Institute; Metals Service Center Institute; Michigan Biomass; Michigan Forest Products Council; Minnesota Chamber of Commerce; Minnesota Forest Industries; Mission Plastics North; Mission Plastics of Arkansas; Mississippi Manufacturers Association; Missouri Forest Products Association; Motor & Equipment Manufacturers Association; Mount Vernon Mills, Inc.; Muscatine Foods Corporation; National Association for Surface Finishing; National Association of Manufacturers; National Association of Trailer Manufacturers; National Concrete Masonry Association; National Council of Farmer Cooperatives.

National Council of Textile Organizations; National Federation of Independent Business; National Lumber and Building Material Dealers Association; National Oilseed Processors Association; National Solid Wastes Management Association; National Spinning Company; NC Association of Professional Loggers, Inc.; Neenah Paper Inc.; Nevada Manufacturers Association; New Hampshire Timberland Owners Association; Nippon Paper Industries USA Co.; Nisus Corporation; NORA, An Association of Responsible Recyclers (formerly the National Oil Recyclers Association); North American Die Casting Association; North American Wholesale Lumber Association; North Carolina Chamber; North Carolina Forestry Association; Northwest Pulp and Paper Association; Ohio Chamber of Commerce; Ohio Forestry Association.

Ohio Manufacturers' Association; Ohio Municipal Electric Association; Ohio Willow Wood Company; OMNOVA Solutions, Inc.; Oregon Forest Industries Council; Owens-Illinois, Inc.; Pacific Wood Laminates; Packaging Corporation of America; Page & Hill Forest Products Inc.; Partnership for Affordable Clean Energy; Pellet Fuels Institute; Pennsylvania Business Council; Pennsylvania Chamber of Business and Industry; Pennsylvania Forest Products Association; Pennsylvania Manufacturers' Association; Peterson Mfg. Co.; Pile Driving Contractors; Association Piney Creek LP; Plum Creek; Port Townsend Paper Corporation.

Portland Cement Association; Possum Tree Farm; Potomac Supply Corporation; PPG Industries; Precision Machined Products Association; Precision Pulley & Idler; Prince Manufacturing Corporation; Railway Tie Association; Rex Lumber, LLC; Rhodia, Inc.; River Trading Company; Rock-Tenn Company; Rosboro LLC; Roseburg Forest

Products Company; ROW, INC.; Roy "O" Martin Lumber Company, LLC; Rubber Manufacturers Association; Rudd Company, Inc.; S.I. Storey Lumber Co., Inc.; Sage Automotive Interiors.

Sappi Fine Paper North America; Sauder Woodworking Co.; Scotch Plywood Company, Inc.; Seymour Manufacturing Co., Inc.; SierraPine Limited; Smith Street Mill; Society of Chemical Manufacturers and Affiliates; South Carolina Forestry Association; South Carolina Pulp and Paper Association (SCPPA); South Carolina Timber Producers Association; Southeast Wood; Southeastern Lumber Manufacturers Association; Southern Appalachian Multiple-Use Council; Southern Forest Products Association; Southern Pressure Treaters' Association; SP Newsprint Co.; States Industries, LLC; Steel Manufacturers Association; Stella-Jones Corporation; Streater Dependable Mfg. Co.

Sunbury Textile Mills, Inc.; Tegrant Corporation; Ten-Tec, Inc.; Tennessee Chamber of Commerce & Industry; Tennessee Forestry Association; Tennessee Paper Council; Texas Association of Manufacturers; Texas Forestry Association; Textile Rental Services Association; The Association for Hose & Accessories Distribution (NAHAD); The Business Council of New York State, Inc.; The Carpet and Rug Institute; The Dow Chemical Company; The International Association of Machinists and Aerospace Workers; The Oeser Company; The United Brotherhood of Carpenters and Joiners of America; Thilmany Papers; Thomasson Company; Thompson Industries, Inc.; Timber Products Company.

TMA; Tolleson Lumber Company; Tradewinds International Inc.; Treated Wood Council; Tri-State Generation and Transmission Association; TrueGuard—wood preservation; U.S. Beet Sugar Association; U.S. Chamber of Commerce; Uniboard USA LLC; Unifi Manufacturing Inc.; USA Rice Federation; Vector Tool and Engineering; Verso Paper Corp.; Virginia Chamber of Commerce; Virginia Forest Products Association; Virginia Forestry Association; Virginia Manufacturers Association; Washington Contract Loggers Association, Inc.; Water Treatment Services Inc.; Wausau Paper; Webb Consultants, Inc.; WEBB Furniture Enterprises Corp.; The Westervelt Company; Weyerhaeuser Company; Window and Door Manufacturers Association; Wisconsin Manufacturers & Commerce; Wisconsin Paper Council; Wood Machinery Manufacturers of America.

[From the Wall Street Journal, Sept. 6, 2011]

#### ANOTHER EPA RULE COMES UNDER ATTACK

Just ahead of President Barack Obama's big jobs speech, the American Forest & Paper Association says a pending environmental rule could cost 20,500 jobs or 18% of the industry's workforce.

In a study to be released Wednesday, the group is taking aim at an Environmental Protection Agency rule to cut pollution from factory boilers, saying the regulation will cause 36 U.S. paper and pulp mills to close. The study comes on the heels of a decision by Mr. Obama to jettison another EPA air quality rule related to ozone that industry complained would kill millions of jobs.

The so-called boiler rule has come under sharp attack from both Republican and Democratic lawmakers, as well as industry, which say the regulations would be too costly and difficult to implement. House Majority Leader Eric Cantor included the rule in his list of 10 "job-destroying regulations" that he has vowed to fight.

The boiler rule would affect paper mills, refineries, chemical factories and other facilities that use boilers, such as universities,

hospitals and apartment buildings. Boilers are on-site generators that can provide energy for facilities and factories. Bipartisan legislation is now pending in the House and Senate to delay implementation of the rule, with the aim of having EPA reconsider the regulation.

The AF&PA study, conducted by Fisher International, looked at how many mills would be in danger of closing if they had to comply with the new air quality regulations and install new pollution controls. The study found 36 mills would have to close, impacting 18% of the industry's workforce.

Supporters of the rule say the benefits far outweigh the costs and counter job loss claims by saying the new controls being required could provide an economic boost.

"Industry is trying to leverage fears about the economic impact and jobs and ignoring that pollution controls are made and installed here in the U.S.," said Paul G. Billings, vice president of national policy and advocacy for the American Lung Association.

Gina McCarthy, a top EPA official, is expected to testify Thursday before a U.S. House subcommittee about the rule. The agency, which has touted the health benefits of the rule, has delayed issuing final regulations, saying it needs more time for public input. That's frustrated environmental and public-health groups, which say the rules would save lives and help avoid thousands of heart and asthma attacks.

John Walke, clean air director at the Natural Resources Defense Council, said the boiler rule is critical because it will cut mercury and other toxic air emissions from incinerators and boilers at industrial facilities. "The the reason it's important is those sectors are one of only a handful that still have not had lawful toxic emission standards adopted for them under the 1990 clean air act amendments," he said.

Donna Harman, president and CEO of AF&PA, said the rule will hurt an already hard-hit sector and said lawmakers and regulators should give the industry more time and impose a less stringent standard.

"We're not asking to not be regulated. We're asking to have a regulation that can be achieved based on the technology that's currently available," she said.

THE NATIONAL FOUNDATION OF  
INDEPENDENT BUSINESS,

Washington, DC, September 8, 2011.

Hon. SUSAN COLLINS,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR COLLINS: The National Federation of Independent Business is pleased to support the Regulatory Time-Out Act. This legislation provides small business owners—who create roughly two-thirds of the net new jobs in America—with relief from burdensome regulations for a period of one year.

The bill would impose a one-year moratorium on "significant" new rules—those with a cost of \$100 million or more—from going into effect if those rules would have an adverse impact on jobs, the economy, or America's international competitiveness. These particular rules generally come with considerable uncertainty, which inhibits small businesses from making decisions that would help the economy grow.

A recent study released by the U.S. Small Business Administration showed that the cost of regulatory compliance for the smallest businesses is 36 percent more than their larger counterparts. The study estimates the cost of compliance for small businesses to be \$10,585 per employee per year. Small businesses desperately need the help of Congress to cut red tape.

Importantly, the Regulatory Time-Out Act would not prevent important rules that address imminent threats to human health or

safety or other emergencies, or that apply to the criminal justice system, military or foreign affairs. Nor would the legislation prevent rules which foster private sector job creation and the enhancement of the competitiveness of the American worker, or which otherwise reduce the regulatory burden.

The Regulatory Time-Out Act that you have introduced is a prudent step toward providing small business owners with the certainty they need to create jobs for Americans. NFIB looks forward to working with you to help ensure that this important legislation becomes law.

Sincerely,

SUSAN ECKERLY,  
Senior Vice President, Public Policy.

SMALL BUSINESS &  
ENTREPRENEURSHIP COUNCIL,  
Oakton, VA, September 8, 2011.

Hon. SUSAN COLLINS,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR COLLINS: On behalf of the 100,000 members of the Small Business & Entrepreneurship Council (SBE Council), I offer our strong support for "The Regulatory 'Time-Out' Act." Given the severe fragility of the economy and dismal job growth, placing a one-year moratorium on "economically significant" rules is a commonsense strategy. Even in better economic times, our economy and its competitiveness would suffer under a regulatory onslaught of the current order. Something must be done to counter the untamed and intrusive rule-making coming out of Washington. The "Time-Out Act" is an approach that should warrant bipartisan support.

The torrent of new regulations being proposed by federal agencies is generating significant uncertainty among our nation's small business owners. Furthermore, once finalized, these regulations will impose a substantial burden on entrepreneurs, exacerbating existing financial pressures that are a result of weak sales and higher business costs.

The number of "major" regulations issued last year is unprecedented. Those costing the economy \$100 million or more number 224—an increase of 22 percent over 2009 and the highest number on record. Many of these directly and indirectly impact small business. Quite simply, our economy and small businesses cannot absorb any more costs. As you well know, the disproportionate cost of regulation places a heavy burden on small firms. The "Regulatory 'Time-Out' Act" will help steady the rough economic and policy environment that has so badly shaken entrepreneurs.

The "Time-Out" act provides consideration for rules that address emergencies and imminent threats to human health and safety, as well as those that would enhance the environment for job creation, worker competitiveness or those that reduce the regulatory burden. No one can label this legislation as anything but smart, practical and essential.

Senator Collins, SBE Council appreciates your leadership. Please let us know what we can do to help advance the "Regulatory 'Time-Out' Act" into law.

Sincerely,

KAREN KERRIGAN,  
President & CEO.

[From CHAMBERPOST, Sept. 8, 2011]  
U.S. CHAMBER WELCOMES SEN. COLLINS'  
PROPOSED REGULATORY TIME-OUT BILL  
(By Tom Collamore)

The U.S. Chamber welcomes Senator Susan Collins' proposed legislation requiring a reg-

ulatory "time-out." American businesses have been overwhelmed by the recent onslaught of burdensome and job-killing regulations. With another 4,257 regulations in the pipeline, American businesses need immediate relief. A time-out would allow both the regulators and the regulated to take a deep breath and ensure that regulations are not destroying jobs and economic growth.

A regulatory "time-out" is one important step in stemming the tidal wave of new regulations. Reforming the regulatory process itself is another. Congress must bring fundamental reform to the rulemaking process, some elements of which have not been modernized in 65 years. We need permanent reforms to the administrative process to ensure regulations are narrowly tailored and impose the least amount of regulatory burden needed to achieve congressional intent, are based on quality data, and will not impede job creation and growth. Reforms must also encourage Congress to exercise its essential oversight over federal agencies to ensure they are carrying out its intent.

We applaud Senator Collins for focusing on one of the most important economic issues facing our economy—overregulation—and look forward to working with her on her regulatory time-out legislation.

By Mr. AKAKA:

S. 1543. A bill to amend chapters 83 and 84 of title 5, United States Code, to address retirement for Pentagon Force Protection Agency officers; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today I am introducing the Retirement Equity for Pentagon Police Heroes Act, a bill to place Pentagon Police on par with Federal law enforcement officers government wide.

As we remember the tragic events of September 11, 2001, and the bravery of those who rushed into burning buildings as most ran away, it is particularly fitting to recognize the bravery of Pentagon Force Protection Agency Officers with this legislation.

Ten years ago, unthinkable acts of terrorism were perpetrated against America, resulting in the loss of thousands of innocent lives at the World Trade Center in New York, the Pentagon in Virginia, and the final landing site of flight 93 in Pennsylvania. The men and women of the Pentagon Force Protection Agency were among the first to respond in the chaotic minutes after flight 77 crashed into the Pentagon.

On the morning of September 11, Isaac Ho'opi'i, a Pentagon Police officer from my home state of Hawaii, rushed into the Pentagon and carried eight people out of the rubble, many of whom were badly burned. Many others made it out of the Pentagon thanks to Mr. Ho'opi'i, who became known as "the voice," because survivors remember him calling out for those lost in the smoke and debris to crawl towards the sound of his voice. In 2002, Mr. Ho'opi'i was awarded a Medal of Valor for his bravery and quick thinking on that fateful day.

Threats to the Pentagon continue to mount in the time since 9/11. Just last year, an armed gunman stormed the Pentagon, shooting at officers while at-

tempting to enter the building. Officers Jeffery Amos and Marvin Carraway, Jr. were wounded during the shootout, but managed to neutralize the perpetrator, ensuring that no other officers or bystanders were harmed in the process.

Despite their heroic actions and the dangerous nature of their job, Pentagon Police officers do not accrue retirement benefits at the same rate as Federal law enforcement officers. This bill would add Pentagon Police to the list of employees under the Civil Service Retirement System and Federal Employees' Retirement System who make larger retirement contributions than most Federal employees, and accrue retirement benefits at an enhanced rate. The higher accrual rate is an important recognition that police work is dangerous and physically demanding, so law enforcement officers are required to retire earlier than others.

The time has come to recognize the courage of these brave men and women who everyday protect thousands of military personnel and civilians at the Pentagon.

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. 1543

*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 "Retirement Equity for Pentagon Police Heroes Act of 2011".

#### SEC. 2. PENTAGON FORCE PROTECTION AGENCY.

(a) AMENDMENTS RELATING TO THE CIVIL SERVICE RETIREMENT SYSTEM.—

(1) DEFINITIONS.—

(A) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8331 of title 5 United States Code is amended—

(i) in paragraph (30), by striking "and" at the end;

(ii) in paragraph (31), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(32) 'Pentagon Force Protection Agency officer' means an employee appointed to perform law enforcement and security functions under section 2674(b) of title 10 whose permanent duty station is the Pentagon Reservation and who occupies a position in job series 0083, or any successor position, for which the rate of basic pay is fixed in accordance with paragraph (2) of such section."

(2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.—Section 8334 of title 5, United States Code, is amended—

(A) in subsection (a)(1)(A), by striking "or customs and border protection officer," and inserting "customs and border protection officer, or Pentagon Force Protection Agency officer,"; and

(B) in the table contained in subsection (c), by adding at the end the following:

"Pentagon Force Protection Agency officer"	7.5 After the date of enactment of the Pentagon Force Protection Agency Retirement Act of 2011."
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(3) MANDATORY SEPARATION.—Section 8335(b)(1) of title 5, United States Code, is amended in the first sentence by striking "or customs and border protection officer" and

inserting "customs and border protection officer, or Pentagon Force Protection Agency officer".

(4) IMMEDIATE RETIREMENT.—Section 8336 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking "or customs and border protection officer" and inserting "customs and border protection officer, or Pentagon Force Protection Agency officer"; and

(B) in subsections (m) and (n), by striking "or as a customs and border protection officer," and inserting "as a customs and border protection officer, or as a Pentagon Force Protection Agency officer,".

(b) AMENDMENTS RELATING TO THE FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—

(1) DEFINITIONS.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (35), by striking "and" at the end;

(B) in paragraph (36), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(37) 'Pentagon Force Protection Agency officer' means an employee appointed to perform law enforcement and security functions under section 2674(b) of title 10 whose permanent duty station is the Pentagon Reservation and who occupies a position in job series 0083, or any successor position, for which the rate of basic pay is fixed in accordance with paragraph (2) of such section.'".

(2) IMMEDIATE RETIREMENT.—Paragraphs (1) and (2) of section 8412(d) of title 5, United States Code, are amended by striking "or customs and border protection officer," and inserting "customs and border protection officer, or Pentagon Force Protection Agency officer,".

(3) COMPUTATION OF BASIC ANNUITY.—Section 8415(h)(2) of title 5, United States Code, is amended by striking "or customs and border protection officer" and inserting "customs and border protection officer, or Pentagon Force Protection Agency officer,".

(4) DEDUCTIONS FROM PAY.—The table contained in section 8422(a)(3) of title 5, United States Code, is amended by adding at the end the following:

"Pentagon Force Protection Agency officer	7.5 After the date of enactment of the Pentagon Force Protection Agency Retirement Act of 2011."
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(5) GOVERNMENT CONTRIBUTIONS.—Paragraphs (1)(B)(i) and (3) of section 8423(a) of title 5, United States Code, are amended by inserting "Pentagon Force Protection Agency officers," after "customs and border protection officers," each place it appears.

(6) MANDATORY SEPARATION.—Section 8425(b)(1) of title 5, United States Code, is amended—

(A) by striking "or customs and border protection officers who" and inserting "customs and border protection officer, or Pentagon Force Protection Agency officers who"; and

(B) by striking "or customs and border protection officer as the case" and inserting "customs and border protection officer, or Pentagon Force Protection Agency officer, as the case".

(c) MAXIMUM AGE FOR ORIGINAL APPOINTMENT.—Section 3307 of title 5, United States Code, is amended by adding at the end the following:

"(h) The Secretary of Defense may determine and fix the maximum age limit for an original appointment to a position as a Pentagon Force Protection Agency officer, as defined by section 8401(37)."

(d) REGULATIONS.—Any regulations necessary to carry out the amendments made by this section shall be prescribed by the Director of the Office of Personnel Management, in consultation with the Secretary of Defense.

(e) EFFECTIVE DATE; TRANSITION RULES.—

(1) EFFECTIVE DATE.—The amendments made by this section shall become effective on the first day of the first pay period beginning at least 6 months after the date of the enactment of this Act.

(2) TRANSITION RULES.—

(A) NONAPPLICABILITY OF MANDATORY SEPARATION PROVISIONS TO CERTAIN INDIVIDUALS.—The amendments made by subsections (a)(3) and (b)(6), respectively, shall not apply to an individual first appointed as a Pentagon Force Protection Agency officer before the effective date under paragraph (1).

(B) TREATMENT OF PRIOR PENTAGON FORCE PROTECTION AGENCY OFFICER SERVICE.—Nothing in this section or any amendment made by this section shall be considered to apply with respect to any service performed as a Pentagon Force Protection Agency officer before the effective date under paragraph (1).

(C) MINIMUM ANNUITY AMOUNT.—The annuity of an individual serving as a Pentagon Force Protection Agency officer on the effective date under paragraph (1) pursuant to an appointment made before that date shall, to the extent that its computation is based on service rendered as a Pentagon Force Protection Agency officer on or after that date, be at least equal to the amount that would be payable—

(i) to the extent that such service is subject to the Civil Service Retirement System, by applying section 8339(d) of title 5, United States Code, with respect to such service; and

(ii) to the extent that such service is subject to the Federal Employees' Retirement System, by applying section 8415(d) of title 5, United States Code, with respect to such service.

(D) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (c) shall be considered to apply with respect to any appointment made before the effective date under paragraph (1).

(3) DEFINITION.—For purposes of this subsection, the term "Pentagon Force Protection Agency officer" has the meaning given such term by section 8331(32) or 8401(37) of title 5, United States Code (as amended by this Act).

(4) EXCLUSION.—Nothing in this Act or any amendment made by this Act shall be considered to afford any election or to otherwise apply with respect to any individual who, as of the day before the date of the enactment of this Act—

(A) holds a position within the Pentagon Force Protection Agency; and

(B) is considered a law enforcement officer for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, by virtue of such position.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 12, 2011, at 4 p.m., in room 215 of the Dirksen Senate Office Building.

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

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

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

## ORDERS FOR TUESDAY, SEPTEMBER 13, 2011

Mr. CONRAD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, September 13; 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 for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to H.J. Res. 66, the joint resolution regarding Burma sanctions and the expected legislative vehicle for additional FEMA funds; further, that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings; finally, that if cloture is invoked on the motion to proceed to H.J. Res. 66, all time during adjournment, morning business, and recess count postcloture and, if cloture is not invoked, a motion to reconsider be considered entered.

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

## ORDER FOR ADJOURNMENT

Mr. CONRAD. Mr. President, if there is no business to come before the Senate, I ask unanimous consent that it adjourn under the previous order at the conclusion of the cloture vote on the motion to proceed to H.J. Res. 66.

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

Mr. CONRAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

## APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003—MOTION TO PROCEED—Continued

### CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

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 the debate on the motion to proceed to Calendar No. 154, H.J. Res. 66,