

purposes; which was ordered to lie on the table.

SA 637. Mr. BINGAMAN (for himself, Mr. AKAKA, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 638. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 639. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 640. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 641. Mr. HATCH proposed an amendment to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, supra.

SA 642. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, supra; which was ordered to lie on the table.

SA 643. Ms. CANTWELL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 2832, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 627. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 7 and 8, insert the following:

**SEC. 231. EFFECTIVE DATE FOR TRADE ADJUSTMENT ASSISTANCE CONTINGENT ON ENACTMENT OF CERTAIN FREE TRADE AGREEMENT IMPLEMENTING BILLS.**

Notwithstanding section 201(b) or any other provision of this subtitle, the amendments made by this subtitle shall take effect on the date on which the United States–Korea Free Trade Agreement Implementation Act, the United States–Colombia Trade Promotion Agreement Implementation Act, and the United States–Panama Trade Promotion Agreement Implementation Act have been enacted into law.

SA 628. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 6 and 7, insert the following:

**SEC. 224. MODIFICATION OF TRADE ADJUSTMENT ASSISTANCE ELIGIBILITY REQUIREMENTS.**

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272), as amended by section 211(a), is further amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(iii), by striking “contributed importantly to such workers’ separation or threat of separation and to” and inserting “was a substantial cause of such workers’ separation or threat of separation and of”; and

(B) in subparagraph (B)(ii), by striking “contributed importantly to” and inserting “was a substantial cause of”;

(2) in paragraph (3)(B) of subsection (b), as redesignated by section 211(a), by striking “contributed importantly to” and inserting “was a substantial cause of”; and

(3) in subsection (c), as redesignated and amended by section 211(a), by striking paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(C), by striking “contributed importantly to such total or partial separation, or threat thereof, and to” and inserting “were a substantial cause of such total or partial separation, or threat thereof, and of”; and

(B) in paragraph (2)—

(i) by striking subparagraph (A);

(ii) by striking “(B)”; and

(iii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left.

(c) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—

(1) IN GENERAL.—Section 292(c)(3) of the Trade Act of 1974 (19 U.S.C. 2401a(c)(3)) is amended by striking “contributed importantly to” and inserting “was a substantial cause of”.

(2) CONFORMING AMENDMENT.—Section 291 of the Trade Act of 1974 (19 U.S.C. 2401) is amended by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

SA 629. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE III—MISCELLANEOUS

**SEC. 301. REPORT ON IMPACT OF FREE TRADE AGREEMENTS ON EMPLOYMENT IN THE UNITED STATES.**

(a) IN GENERAL.—Not later than 1 year after the date on which a free trade agreement specified in subsection (b) enters into force, the Secretary of Labor shall submit to Congress a report assessing—

(1) the number of workers dislocated because of the entry into force of that agreement; and

(2) the overall impact of that agreement on employment in the United States.

(b) FREE TRADE AGREEMENTS SPECIFIED.—A free trade agreement specified in this subsection is—

(1) the United States–Korea Free Trade Agreement;

(2) the United States–Colombia Trade Promotion Agreement; or

(3) the United States–Panama Trade Promotion Agreement.

SA 630. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 21, between lines 2 and 3, insert the following:

**SEC. 217. PLAN TO LEVERAGE PRIVATE SECTOR RESOURCES TO ASSIST WORKERS ELIGIBLE FOR TRADE ADJUSTMENT ASSISTANCE.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of

Labor, in consultation with the Secretary of Commerce, shall submit to Congress a plan to effectively leverage private sector resources to assist workers who are eligible for trade adjustment assistance under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) to find employment.

SA 631. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE III—MISCELLANEOUS

**SEC. 301. RENEWAL OF DUTY SUSPENSIONS ON COTTON SHIRTING FABRICS AND RELATED PROVISIONS.**

(a) EXTENSIONS.—Each of the following headings of the Harmonized Tariff Schedule of the United States is amended by striking everything after “suitable for use in men’s and boys’ shirts” in the article description column and by striking the date in the effective date column and inserting “12/31/2013”:

(1) Heading 9902.52.08 (relating to woven fabrics of cotton).

(2) Heading 9902.52.09 (relating to woven fabrics of cotton).

(3) Heading 9902.52.10 (relating to woven fabrics of cotton).

(4) Heading 9902.52.11 (relating to woven fabrics of cotton).

(5) Heading 9902.52.12 (relating to woven fabrics of cotton).

(6) Heading 9902.52.13 (relating to woven fabrics of cotton).

(7) Heading 9902.52.14 (relating to woven fabrics of cotton).

(8) Heading 9902.52.15 (relating to woven fabrics of cotton).

(9) Heading 9902.52.16 (relating to woven fabrics of cotton).

(10) Heading 9902.52.17 (relating to woven fabrics of cotton).

(11) Heading 9902.52.18 (relating to woven fabrics of cotton).

(12) Heading 9902.52.19 (relating to woven fabrics of cotton).

(13) Heading 9902.52.20 (relating to woven fabrics of cotton).

(14) Heading 9902.52.21 (relating to woven fabrics of cotton).

(15) Heading 9902.52.22 (relating to woven fabrics of cotton).

(16) Heading 9902.52.23 (relating to woven fabrics of cotton).

(17) Heading 9902.52.24 (relating to woven fabrics of cotton).

(18) Heading 9902.52.25 (relating to woven fabrics of cotton).

(19) Heading 9902.52.26 (relating to woven fabrics of cotton).

(20) Heading 9902.52.27 (relating to woven fabrics of cotton).

(21) Heading 9902.52.28 (relating to woven fabrics of cotton).

(22) Heading 9902.52.29 (relating to woven fabrics of cotton).

(23) Heading 9902.52.30 (relating to woven fabrics of cotton).

(24) Heading 9902.52.31 (relating to woven fabrics of cotton).

(b) EXTENSION OF DUTY REFUNDS AND PIMA COTTON TRUST FUND; MODIFICATION OF AFFIDAVIT REQUIREMENTS.—Section 407 of title IV of division C of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3060) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “amounts determined by the Secretary” and all that follows through “5208.59.80” and inserting “amounts received in the general fund that

are attributable to duties received since January 1, 2004, on articles classified under heading 5208"; and

(B) in paragraph (2), by striking "October 1, 2008" and inserting "December 31, 2013";

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "beginning in fiscal year 2007" and inserting "for fiscal year 2011 and each fiscal year thereafter";

(B) by striking "grown in the United States" each place it appears; and

(C) in paragraph (2), in the matter preceding subparagraph (A), by inserting "that produce ring spun cotton yarns in the United States" after "of pima cotton";

(3) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting "annually" after "provided"; and

(B) in paragraph (1), by inserting "during the year in which the affidavit is filed and" after "imported cotton fabric"; and

(4) in subsection (f)—

(A) in the matter preceding paragraph (1), by inserting "annually" after "provided"; and

(B) in paragraph (1)—

(i) by striking "grown in the United States" and inserting "during the year in which the affidavit is filed and"; and

(ii) by inserting "in the United States" after "cotton yarns".

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act and apply with respect to affidavits filed on or after such date of enactment.

**SA 632.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

**TITLE —CURRENCY EXCHANGE RATE TRANSPARENCY**

**SECTION 01. SHORT TITLE.**

This title may be cited as the "Currency Exchange Rate Transparency Act".

**SEC. 02. LIMITATIONS ON BILLS IMPLEMENTING TRADE AGREEMENTS.**

(a) **IN GENERAL.**—Notwithstanding section 151 of the Trade Act of 1974 (19 U.S.C. 2191) or any other provision of law, any bill implementing a trade agreement between the United States and another country (or extending permanent normal trade relations) shall be subject to a point of order pursuant to subsection (c) unless—

(1) the bill is accompanied by a Presidential certification described in subsection (b); and

(2) the bill contains a provision approving that certification.

(b) **CERTIFICATION.**—

(1) **IN GENERAL.**—A certification described in this subsection means a certification submitted by the President to the Congress that, in the 10-year period preceding the certification, the government of a country described in paragraph (2) has not engaged in the intervention or manipulation of the rate of exchange between that country's currency and the United States dollar for purposes of preventing effective balance of payments adjustments or gaining unfair competitive advantage in international trade.

(2) **COUNTRY DESCRIBED.**—A country described in this paragraph is a country—

(A) with respect to which the United States is entering into a trade agreement; or

(B) with respect to which the United States is extending permanent normal trade relations

(c) **POINT OF ORDER IN SENATE.**—

(1) **IN GENERAL.**—The Senate shall cease consideration of a bill to implement a trade agreement (or to extend permanent normal trade relations), if—

(A) a point of order is made by any Senator against the bill because the bill is not accompanied by a certification described in subsection (b); and

(B) the point of order is sustained by the presiding officer.

(2) **WAIVERS AND APPEALS.**—

(A) **WAIVERS.**—Before the presiding officer rules on a point of order described in paragraph (1), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment. A point of order described in paragraph (1) is waived only by the affirmative vote of a majority of the Members of the Senate, duly chosen and sworn.

(B) **APPEALS.**—After the presiding officer rules on a point of order under this paragraph, any Senator may appeal the ruling of the presiding officer on the point of order as it applies to some or all of the provisions on which the presiding officer ruled. A ruling of the presiding officer on a point of order described in paragraph (1) is sustained unless a majority of the Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(C) **DEBATE.**—Debate on a motion to waive under subparagraph (A) or on an appeal of the ruling of the presiding officer under subparagraph (B) shall be limited to 1 hour. The time shall be equally divided between, and controlled by, the majority leader and the minority leader of the Senate, or their designees.

**SA 633.** Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE II—TRADE ADJUSTMENT ASSISTANCE**

**SEC. 200. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This title may be cited as the "Trade Adjustment Assistance Extension Act of 2011".

(b) **TABLE OF CONTENTS.**—The table of contents for this title is as follows:

**TITLE II—TRADE ADJUSTMENT ASSISTANCE**

Sec. 200. Short title; table of contents.

Subtitle A—Extension of Trade Adjustment Assistance

**PART I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE**  
Sec. 201. Application of provisions relating to trade adjustment assistance.

**PART II—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS**

Sec. 211. Group eligibility requirements.  
Sec. 212. Reductions in waivers from training.

Sec. 213. Limitations on trade readjustment allowances.

Sec. 214. Funding of training, employment and case management services, and job search and relocation allowances.

Sec. 215. Reemployment trade adjustment assistance.

Sec. 216. Program accountability.

Sec. 217. Extension.

**PART III—OTHER ADJUSTMENT ASSISTANCE**

Sec. 221. Trade adjustment assistance for firms.

Sec. 222. Trade adjustment assistance for communities.

Sec. 223. Trade adjustment assistance for farmers.

**PART IV—GENERAL PROVISIONS**

Sec. 231. Applicability of trade adjustment assistance provisions.

Sec. 232. Termination provisions.

Sec. 233. Sunset provisions.

**Subtitle B—Health Coverage Improvement**

Sec. 241. Health care tax credit.

Sec. 242. TAA pre-certification period rule for purposes of determining whether there is a 63-day lapse in creditable coverage.

Sec. 243. Extension of COBRA benefits for certain TAA-eligible individuals and PBGC recipients.

**Subtitle C—Offsets**

**PART I—UNEMPLOYMENT COMPENSATION PROGRAM INTEGRITY**

Sec. 251. Mandatory penalty assessment on fraud claims.

Sec. 252. Prohibition on noncharging due to employer fault.

Sec. 253. Reporting of rehired employees to the directory of new hires.

**PART II—ADDITIONAL OFFSETS**

Sec. 261. Improvements to contracts with Medicare quality improvement organizations (QIOs) in order to improve the quality of care furnished to Medicare beneficiaries.

Sec. 262. Rates for merchandise processing fees.

Sec. 263. Time for remitting certain merchandise processing fees.

**Subtitle A—Extension of Trade Adjustment Assistance**

**PART I—APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE**

**SEC. 201. APPLICATION OF PROVISIONS RELATING TO TRADE ADJUSTMENT ASSISTANCE.**

(a) **REPEAL OF SNAPBACK.**—Section 1893 of the Trade and Globalization Adjustment Assistance Act of 2009 (Public Law 111-5; 123 Stat. 422) is repealed.

(b) **APPLICABILITY OF CERTAIN PROVISIONS.**—Except as otherwise provided in this subtitle, the provisions of chapters 2 through 6 of title II of the Trade Act of 1974, as in effect on February 12, 2011, and as amended by this subtitle, shall—

(1) take effect on the date of the enactment of this Act; and

(2) apply to petitions for certification filed under chapters 2, 3, or 6 of title II of the Trade Act of 1974 on or after such date of enactment.

(c) **REFERENCES.**—Except as otherwise provided in this subtitle, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision of chapters 2 through 6 of title II of the Trade Act of 1974, the reference shall be considered to be made to a provision of any such chapter, as in effect on February 12, 2011.

**PART II—TRADE ADJUSTMENT ASSISTANCE FOR WORKERS**

**SEC. 211. GROUP ELIGIBILITY REQUIREMENTS.**

(a) **IN GENERAL.**—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272) is amended—

(1) by striking subsection (b);

(2) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively;

(3) in paragraph (2) of subsection (b), as redesignated, by striking "(d)" and inserting "(c)";

(4) in subsection (c), as redesignated, by striking paragraph (5); and

(5) in paragraph (2) of subsection (d), as redesignated, by striking “, (b), or (c)” and inserting “or (b)”.

(b) CONFORMING AMENDMENTS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “Subject to section 222(d)(5), the term” and inserting “The term”; and

(B) in subparagraph (A), by striking “, service sector firm, or public agency” and inserting “or service sector firm”;

(2) by striking paragraph (7); and

(3) by redesignating paragraphs (8) through (19) as paragraphs (7) through (18), respectively.

## SEC. 212. REDUCTIONS IN WAIVERS FROM TRAINING.

(a) IN GENERAL.—Section 231(c) of the Trade Act of 1974 (19 U.S.C. 2291(c)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraphs (A), (B), and (C); and

(B) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (A), (B), and (C), respectively; and

(2) in paragraph (3)(B), by striking “(D), (E), or (F)” and inserting “or (C)”.

(b) GOOD CAUSE EXCEPTION.—Section 234(b) of the Trade Act of 1974 (19 U.S.C. 2294(b)) is amended to read as follows:

“(b) SPECIAL RULE ON GOOD CAUSE FOR WAIVER OF TIME LIMITS OR LATE FILING OF CLAIMS.—The Secretary shall establish procedures and criteria that allow for a waiver for good cause of the time limitations with respect to an application for a trade readjustment allowance or enrollment in training under this chapter.”.

## SEC. 213. LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES.

Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended—

(1) in subsection (a)—

(A) in paragraph (2), in the matter preceding subparagraph (A), by striking “(or)” and all that follows through “period”;

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking “78” and inserting “65”; and

(ii) by striking “91-week period” each place it appears and inserting “78-week period”; and

(2) by amending subsection (f) to read as follows:

“(f) PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

“(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

“(2) the worker participates in training in each such week; and

“(3) the worker—

“(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

“(B) is expected to continue to make progress toward the completion of the training; and

“(C) will complete the training during that period of eligibility.”.

## SEC. 214. FUNDING OF TRAINING, EMPLOYMENT AND CASE MANAGEMENT SERVICES, AND JOB SEARCH AND RELOCATION ALLOWANCES.

(a) IN GENERAL.—Section 236(a)(2) of the Trade Act of 1974 (19 U.S.C. 2296(a)(2)) is amended—

(1) by inserting “and sections 235, 237, and 238” after “to carry out this section” each place it appears;

(2) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking “of payments that may be made under paragraph (1)” and inserting “of funds available to carry out this section and sections 235, 237, and 238”; and

(B) by striking clauses (i) and (ii) and inserting the following:

“(i) \$575,000,000 for each of fiscal years 2012 and 2013; and

“(ii) \$143,750,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013.”;

(3) in subparagraph (C)(ii)(V), by striking “relating to the provision of training under this section” and inserting “to carry out this section and sections 235, 237, and 238”; and

(4) in subparagraph (E), by striking “to pay the costs of training approved under this section” and inserting “to carry out this section and sections 235, 237, and 238”.

(b) LIMITATIONS ON ADMINISTRATIVE EXPENSES AND EMPLOYMENT AND CASE MANAGEMENT SERVICES.—

(1) IN GENERAL.—Section 235A of the Trade Act of 1974 (19 U.S.C. 2295a) is amended—

(A) in the section heading, by striking “FUNDING FOR” and inserting “LIMITATIONS ON”; and

(B) by striking subsections (a) and (b) and inserting the following:

“Of the funds made available to a State to carry out sections 235 through 238 for a fiscal year, the State shall use—

“(1) not more than 10 percent for the administration of the trade adjustment assistance for workers program under this chapter, including for—

“(A) processing waivers of training requirements under section 231;

“(B) collecting, validating, and reporting data required under this chapter; and

“(C) providing reemployment trade adjustment assistance under section 246; and

“(2) not less than 5 percent for employment and case management services under section 235.”.

(2) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the item relating to section 235A and inserting the following:

“Sec. 235A. Limitations on administrative expenses and employment and case management services.”.

(c) REALLOTMENT OF FUNDS.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by adding at the end the following:

“(c) REALLOTMENT OF FUNDS.—

“(1) IN GENERAL.—The Secretary may—

“(A) reallocate funds that were allotted to any State to carry out sections 235 through 238 and that remain unobligated by the State during the second or third fiscal year after the fiscal year in which the funds were provided to the State; and

“(B) provide such reallocated funds to States to carry out sections 235 through 238 in accordance with procedures established by the Secretary.

“(2) REQUESTS BY STATES.—In establishing procedures under paragraph (1)(B), the Secretary shall include procedures that provide for the distribution of reallocated funds under that paragraph pursuant to requests submitted by States in need of such funds.

“(3) AVAILABILITY OF AMOUNTS.—The reallocation of funds under paragraph (1) shall

not extend the period for which such funds are available for expenditure.”.

(d) JOB SEARCH ALLOWANCES.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended—

(1) in subsection (a)(1)—

(A) by striking “An adversely affected worker” and inserting “Each State may use funds made available to the State to carry out sections 235 through 238 to allow an adversely affected worker”; and

(B) by striking “may” and inserting “to”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “An” and inserting “Any”; and

(ii) by striking “all necessary job search expenses” and inserting “not more than 90 percent of the necessary job search expenses of the worker”; and

(B) in paragraph (2), by striking “\$1,500” and inserting “\$1,250”; and

(3) in subsection (c), by striking “the Secretary shall” and inserting “a State may”.

(e) RELOCATION ALLOWANCES.—Section 238 of the Trade Act of 1974 (19 U.S.C. 2298) is amended—

(1) in subsection (a)(1)—

(A) by striking “Any adversely affected worker” and inserting “Each State may use funds made available to the State to carry out sections 235 through 238 to allow an adversely affected worker”; and

(B) by striking “may file” and inserting “to file”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1)—

(i) by striking “The” and inserting “Any”; and

(ii) by striking “includes” and inserting “shall include”;

(B) in paragraph (1), by striking “all” and inserting “not more than 90 percent of the”; and

(C) in paragraph (2), by striking “\$1,500” and inserting “\$1,250”.

(f) CONFORMING AMENDMENTS.—Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended—

(1) in subsection (b), in the first sentence, by striking “appropriate” and inserting “appropriate”; and

(2) by striking subsection (g) and redesignating subsection (h) as subsection (g).

## SEC. 215. REEMPLOYMENT TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Section 246(a) of the Trade Act of 1974 (19 U.S.C. 2318(a)) is amended—

(1) in paragraph (3)(B)(ii), by striking “\$55,000” and inserting “\$50,000”; and

(2) in paragraph (5)—

(A) in subparagraph (A)(i), by striking “\$12,000” and inserting “\$10,000”; and

(B) in subparagraph (B)(i), by striking “\$12,000” and inserting “\$10,000”.

(b) EXTENSION.—Section 246(b)(1) of the Trade Act of 1974 (19 U.S.C. 2318(b)(1)) is amended by striking “February 12, 2011” and inserting “December 31, 2013”.

## SEC. 216. PROGRAM ACCOUNTABILITY.

(a) CORE INDICATORS OF PERFORMANCE.—

(1) IN GENERAL.—Section 239(j)(2)(A) of the Trade Act of 1974 (19 U.S.C. 2311(j)(2)(A)) is amended to read as follows:

“(A) IN GENERAL.—The core indicators of performance described in this paragraph are—

“(i) the percentage of workers receiving benefits under this chapter who are employed during the first or second calendar quarter following the calendar quarter in which the workers cease receiving such benefits;

“(ii) the percentage of such workers who are employed during the 2 calendar quarters

following the earliest calendar quarter during which the worker was employed as described in clause (i);

“(iii) the average earnings of such workers who are employed during the 2 calendar quarters described in clause (ii); and

“(iv) the percentage of such workers who obtain a recognized postsecondary credential, including an industry-recognized credential, or a secondary school diploma or its recognized equivalent if combined with employment under clause (i), while receiving benefits under this chapter or during the 1-year period after such workers cease receiving such benefits.”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to agreements under section 239 of the Trade Act of 1974 (19 U.S.C. 2311) entered into before, on, or after October 1, 2011.

(b) **COLLECTION AND PUBLICATION OF DATA.**—

(1) **IN GENERAL.**—Section 249B(b) of the Trade Act of 1974 (19 U.S.C. 2323(b)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by inserting “(including such allowances classified by payments under paragraphs (1) and (3) of section 233(a), and section 233(f), respectively) and payments under section 246” after “readjustment allowances”; and

(ii) by adding at the end the following:

“(D) The average number of weeks trade readjustment allowances were paid to workers.

“(E) The number of workers who report that they have received benefits under a prior certification issued under this chapter in any of the 10 fiscal years preceding the fiscal year for which the data is collected under this section.”;

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting “training leading to an associate’s degree, remedial education, prerequisite education,” after “distance learning.”;

(ii) by amending subparagraph (B) to read as follows:

“(B) The number of workers who complete training approved under section 236 who were enrolled in pre-layoff training or part-time training at any time during that training.”;

(iii) in subparagraph (C), by inserting “, and the average duration of training that does not include remedial or prerequisite education” after “training”;

(iv) in subparagraph (E), by striking “duration” and inserting “average duration”; and

(v) in subparagraph (F), by inserting “and the average duration of the training that was completed by such workers” after “training”; and

(C) in paragraph (4)—

(i) by redesignating subparagraph (B) as subparagraph (D); and

(ii) by inserting after subparagraph (A) the following:

“(B) A summary of the data on workers in the quarterly reports required under section 239(j) classified by the age, pre-program educational level, and post-program credential attainment of the workers.

“(C) The average earnings of workers described in section 239(j)(2)(A)(i) in the second, third, and fourth calendar quarters following the calendar quarter in which such workers cease receiving benefits under this chapter, expressed as a percentage of the average earnings of such workers in the 3 calendar quarters before the calendar quarter in which such workers began receiving benefits under this chapter.”; and

(D) by adding at the end the following:

“(6) **DATA ON SPENDING.**—

“(A) The total amount of funds used to pay for trade readjustment allowances, in the aggregate and by each State.

“(B) The total amount of the payments to the States to carry out sections 235 through 238 used for training, in the aggregate and for each State.

“(C) The total amount of payments to the States to carry out sections 235 through 238 used for the costs of administration, in the aggregate and for each State.

“(D) The total amount of payments to the States to carry out sections 235 through 238 used for job search and relocation allowances, in the aggregate and for each State.”.

(2) **EFFECTIVE DATE.**—Not later than October 1, 2012, the Secretary of Labor shall update the system required by section 249B(a) of the Trade Act of 1974 (19 U.S.C. 2323(a)) to include the collection of and reporting on the data required by the amendments made by paragraph (1).

(3) **ANNUAL REPORT.**—Section 249B(d) of the Trade Act of 1974 (19 U.S.C. 2323(d)) is amended by striking “December 15” and inserting “February 15”.

#### **SEC. 217. EXTENSION.**

Section 245(a) of the Trade Act of 1974 (19 U.S.C. 2317(a)) is amended by striking “February 12, 2011” and inserting “December 31, 2013”.

### **PART III—OTHER ADJUSTMENT ASSISTANCE**

#### **SEC. 221. TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.**

(a) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Chapter 3 of title II of the Trade Act of 1974 (19 U.S.C. 2341 et seq.) is amended by inserting after section 255 the following:

#### **“SEC. 255A. ANNUAL REPORT ON TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.**

“(a) **IN GENERAL.**—Not later than December 15, 2012, and annually thereafter, the Secretary shall prepare a report containing data regarding the trade adjustment assistance for firms program under this chapter for the preceding fiscal year. The data shall include the following:

“(1) The number of firms that inquired about the program.

“(2) The number of petitions filed under section 251.

“(3) The number of petitions certified and denied by the Secretary.

“(4) The average time for processing petitions after the petitions are filed.

“(5) The number of petitions filed and firms certified for each congressional district of the United States.

“(6) Of the number of petitions filed, the number of firms that entered the program and received benefits.

“(7) The number of firms that received assistance in preparing their petitions.

“(8) The number of firms that received assistance developing business recovery plans.

“(9) The number of business recovery plans approved and denied by the Secretary.

“(10) The average duration of benefits received under the program nationally and in each region served by an intermediary organization referred to in section 253(b)(1).

“(11) Sales, employment, and productivity at each firm participating in the program at the time of certification.

“(12) Sales, employment, and productivity at each firm upon completion of the program and each year for the 2-year period following completion of the program.

“(13) The number of firms in operation as of the date of the report and the number of firms that ceased operations after completing the program and in each year during the 2-year period following completion of the program.

“(14) The financial assistance received by each firm participating in the program.

“(15) The financial contribution made by each firm participating in the program.

“(16) The types of technical assistance included in the business recovery plans of firms participating in the program.

“(17) The number of firms leaving the program before completing the project or projects in their business recovery plans and the reason the project or projects were not completed.

“(18) The total amount expended by all intermediary organizations referred to in section 253(b)(1) and by each such organization to administer the program.

“(19) The total amount expended by intermediary organizations to provide technical assistance to firms under the program nationally and in each region served by such an organization.

“(b) **CLASSIFICATION OF DATA.**—To the extent possible, in collecting and reporting the data described in subsection (a), the Secretary shall classify the data by intermediary organization, State, and national totals.

“(c) **REPORT TO CONGRESS; PUBLICATION.**—The Secretary shall—

“(1) submit the report described in subsection (a) to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives; and

“(2) publish the report in the Federal Register and on the website of the Department of Commerce.

“(d) **PROTECTION OF CONFIDENTIAL INFORMATION.**—

“(1) **IN GENERAL.**—The Secretary may not release information described in subsection (a) that the Secretary considers to be confidential business information unless the person submitting the confidential business information had notice, at the time of submission, that such information would be released by the Secretary, or such person subsequently consents to the release of the information.

“(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to prohibit the Secretary from providing information the Secretary considers to be confidential business information under paragraph (1) to a court in camera or to another party under a protective order issued by a court.”.

(2) **CLERICAL AMENDMENT.**—The table of contents for the Trade Act of 1974 is amended by inserting after the item relating to section 255 the following:

“Sec. 255A. Annual report on trade adjustment assistance for firms.”.

(3) **CONFORMING REPEAL.**—Effective on the day after the date on which the Secretary of Commerce submits the report required by section 1866 of the Trade and Globalization Adjustment Assistance Act of 2009 (19 U.S.C. 2356) for fiscal year 2011, such section is repealed.

(b) **EXTENSION.**—Section 255(a) of the Trade Act of 1974 (19 U.S.C. 2345(a)) is amended—

(1) by striking “\$50,000,000” and all that follows through “February 12, 2011.” and inserting “\$16,000,000 for each of the fiscal years 2012 and 2013, and \$4,000,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013.”; and

(2) by striking “shall—” and all that follows through “otherwise remain” and inserting “shall remain”.

#### **SEC. 222. TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES.**

(a) **IN GENERAL.**—Chapter 4 of title II of the Trade Act of 1974 (19 U.S.C. 2371 et seq.) is amended—

(1) by striking subchapters A, C, and D;

(2) in subchapter B, by striking the subchapter heading; and

(3) by redesignating sections 278 and 279 as sections 271 and 272, respectively.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—Subsection (e) of section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended—

(A) in the matter preceding paragraph (1), by striking “December 15 in each of the calendar years 2009 through” and inserting “December 15, 2009,”;

(B) in paragraph (1), by striking “and” at the end;

(C) in paragraph (2), by striking the period at the end and inserting “; and”;

(D) by adding at the end the following:

“(3) providing the following data relating to program performance and outcomes:

“(A) Of the grants awarded under this section, the amount of funds spent by grantees.

“(B) The average dollar amount of grants awarded under this section.

“(C) The average duration of grants awarded under this section.

“(D) The percentage of workers receiving benefits under chapter 2 that are served by programs developed, offered, or improved using grants awarded under this section.

“(E) The percentage and number of workers receiving benefits under chapter 2 who obtained a degree through such programs and the average duration of the participation of such workers in training under section 236.

“(F) The number of workers receiving benefits under chapter 2 served by such programs who did not complete a degree and the average duration of the participation of such workers in training under section 236.”

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to reports submitted under subsection (e) of section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), on or after October 1, 2012.

(c) CONFORMING AMENDMENTS.—

(1) Section 271 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended—

(A) in subsection (c)—

(i) in paragraph (4)—

(I) in subparagraph (A)—

(aa) in clause (ii), by striking the semicolon and inserting “; and”;

(bb) by striking clauses (iii) and (iv); and

(cc) by redesignating clause (v) as clause (iii);

(II) in subparagraph (B), by striking “(A)(v)” and inserting “(A)(iii)”;

(ii) in paragraph (5)(A)—

(I) in clause (1)—

(aa) in the matter preceding subclause (I), by striking “, and other entities described in section 276(a)(2)(B)”;

(bb) in subclause (II), by striking the semicolon and inserting “; and”;

(II) by striking clause (iii); and

(B) in subsection (d), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(2) Subsection (b) of section 272 of the Trade Act of 1974, as redesignated by subsection (a)(3), is amended by striking “278(a)(2)” and inserting “271(a)(2)”.

(d) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by striking the items relating to chapter 4 of title II and inserting the following:

“CHAPTER 4—TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES

“Sec. 271. Community College and Career Training Grant Program.

“Sec. 272. Authorization of appropriations.”.

**SEC. 223. TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.**

(a) ANNUAL REPORT.—

(1) IN GENERAL.—Section 293(d) of the Trade Act of 1974 (19 U.S.C. 2401b(d)) is amended to read as follows:

“(d) ANNUAL REPORT.—Not later than January 30 of each year, the Secretary shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report containing the following information with respect to the trade adjustment assistance for farmers program under this chapter during the preceding fiscal year:

“(1) A list of the agricultural commodities covered by a certification under this chapter.

“(2) The States or regions in which agricultural commodities are produced and the aggregate amount of such commodities produced in each such State or region.

“(3) The number of petitions filed.

“(4) The number of petitions certified and denied by the Secretary.

“(5) The average time for processing petitions.

“(6) The number of petitions filed and agricultural commodity producers approved for each congressional district of the United States.

“(7) Of the number of producers approved, the number of agricultural commodity producers that entered the program and received benefits.

“(8) The number of agricultural commodity producers that completed initial technical assistance.

“(9) The number of agricultural commodity producers that completed intensive technical assistance.

“(10) The number of initial business plans approved and denied by the Secretary.

“(11) The number of long-term business plans approved and denied by the Secretary.

“(12) The total number of agricultural commodity producers, by congressional district, receiving initial technical assistance and intensive technical assistance, respectively, under this chapter.

“(13) The types of initial technical assistance received by agricultural commodity producers participating in the program.

“(14) The types of intensive technical assistance received by agricultural commodity producers participating in the program.

“(15) The number of agricultural commodity producers leaving the program before completing the projects in their long-term business plans and the reason those projects were not completed.

“(16) The total number of agricultural commodity producers, by congressional district, receiving benefits under this chapter.

“(17) The average duration of benefits received under this chapter.

“(18) The number of agricultural commodity producers in operation as of the date of the report and the number of agricultural commodity producers that ceased operations after completing the program and in the 1-year period following completion of the program.

“(19) The number of agricultural commodity producers that report that such producers received benefits under a prior certification issued under this chapter in any of the 10 fiscal years preceding the date of the report.”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall—

(A) take effect on October 1, 2011; and

(B) apply with respect to reports submitted under section 293(d) of the Trade Act of 1974 (19 U.S.C. 2401b(d)) on or after October 1, 2012.

(b) EXTENSION.—Section 298(a) of the Trade Act of 1974 (19 U.S.C. 2401g(a)) is amended—

(1) by striking “and there are appropriated”;

(2) by striking “not to exceed” and all that follows through “February 12, 2011” and inserting “not to exceed \$90,000,000 for each of the fiscal years 2012 and 2013, and \$22,500,000 for the 3-month period beginning on October 1, 2013, and ending on December 31, 2013”.

## PART IV—GENERAL PROVISIONS

### SEC. 231. APPLICABILITY OF TRADE ADJUSTMENT ASSISTANCE PROVISIONS.

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—

(1) PETITIONS FILED ON OR AFTER FEBRUARY 13, 2011, AND BEFORE DATE OF ENACTMENT.—

(A) CERTIFICATIONS OF WORKERS NOT CERTIFIED BEFORE DATE OF ENACTMENT.—

(i) CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.—If, as of the date of the enactment of this Act, the Secretary of Labor has not made a determination with respect to whether to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall make that determination based on the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment.

(ii) RECONSIDERATION OF DENIALS OF CERTIFICATIONS.—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a group of workers as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in clause (iii), the Secretary shall—

(I) reconsider that determination; and

(II) if the group of workers meets the requirements of section 222 of the Trade Act of 1974, as in effect on such date of enactment, certify the group of workers as eligible to apply for adjustment assistance.

(iii) PETITION DESCRIBED.—A petition described in this clause is a petition for a certification of eligibility for a group of workers filed under section 221 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(b) ELIGIBILITY FOR BENEFITS.—

(i) IN GENERAL.—Except as provided in clause (ii), a worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) shall be eligible, on and after the date that is 60 days after the date of the enactment of this Act, to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment.

(ii) ELECTION FOR WORKERS RECEIVING BENEFITS ON THE 60TH DAY AFTER ENACTMENT.—

(I) IN GENERAL.—A worker certified as eligible to apply for adjustment assistance under section 222 of the Trade Act of 1974 pursuant to a petition described in subparagraph (A)(iii) who is receiving benefits under chapter 2 of title II of the Trade Act of 1974 as of the date that is 60 days after the date of the enactment of this Act may, not later than the date that is 150 days after such date of enactment, make a one-time election to receive benefits pursuant to—

(aa) the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on such date of enactment; or

(bb) the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011.

(II) EFFECT OF FAILURE TO MAKE ELECTION.—A worker described in subclause (I) who does not make the election described in that subclause on or before the date that is 150 days after the date of the enactment of this Act shall be eligible to receive benefits only under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011.

(III) COMPUTATION OF MAXIMUM BENEFITS.—Benefits received by a worker described in subclause (I) under chapter 2 of title II of the Trade Act of 1974, as in effect on February 13, 2011, before the worker makes the election described in that subclause shall be included

in any determination of the maximum benefits for which the worker is eligible under the provisions of chapter 2 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, or as in effect on February 13, 2011, whichever is applicable after the election of the worker under subclause (I).

(2) **PETITIONS FILED BEFORE FEBRUARY 13, 2011.**—A worker certified as eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974—

(A) on or after May 18, 2009, and on or before February 12, 2011, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on February 12, 2011; or

(B) before May 18, 2009, shall continue to be eligible to apply for and receive benefits under the provisions of chapter 2 of title II of such Act, as in effect on May 17, 2009.

(3) **QUALIFYING SEPARATIONS WITH RESPECT TO PETITIONS FILED WITHIN 90 DAYS OF DATE OF ENACTMENT.**—Section 223(b) of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall be applied and administered by substituting “before February 13, 2010” for “more than one year before the date of the petition on which such certification was granted” for purposes of determining whether a worker is eligible to apply for adjustment assistance pursuant to a petition filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act and on or before the date that is 90 days after such date of enactment.

(b) **TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.**—

(1) **CERTIFICATION OF FIRMS NOT CERTIFIED BEFORE DATE OF ENACTMENT.**—

(A) **CRITERIA IF A DETERMINATION HAS NOT BEEN MADE.**—If, as of the date of the enactment of this Act, the Secretary of Commerce has not made a determination with respect to whether to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall make that determination based on the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment.

(B) **RECONSIDERATION OF DENIAL OF CERTAIN PETITIONS.**—If, before the date of the enactment of this Act, the Secretary made a determination not to certify a firm as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974 pursuant to a petition described in subparagraph (C), the Secretary shall—

(i) reconsider that determination; and

(ii) if the firm meets the requirements of section 251 of the Trade Act of 1974, as in effect on such date of enactment, certify the firm as eligible to apply for adjustment assistance.

(C) **PETITION DESCRIBED.**—A petition described in this subparagraph is a petition for a certification of eligibility filed by a firm or its representative under section 251 of the Trade Act of 1974 on or after February 13, 2011, and before the date of the enactment of this Act.

(2) **CERTIFICATION OF FIRMS THAT DID NOT SUBMIT PETITIONS BETWEEN FEBRUARY 13, 2011, AND DATE OF ENACTMENT.**—

(A) **IN GENERAL.**—The Secretary of Commerce shall certify a firm described in subparagraph (B) as eligible to apply for adjustment assistance under section 251 of the Trade Act of 1974, as in effect on the date of the enactment of this Act, if the firm or its representative files a petition for a certification of eligibility under section 251 of the Trade Act of 1974 not later than 90 days after such date of enactment.

(B) **FIRM DESCRIBED.**—A firm described in this subparagraph is a firm that the Secretary determines would have been certified as eligible to apply for adjustment assistance if—

(i) the firm or its representative had filed a petition for a certification of eligibility under section 251 of the Trade Act of 1974 on a date during the period beginning on February 13, 2011, and ending on the day before the date of the enactment of this Act; and

(ii) the provisions of chapter 3 of title II of the Trade Act of 1974, as in effect on such date of enactment, had been in effect on that date during the period described in clause (i).

#### **SEC. 232. TERMINATION PROVISIONS.**

Section 285 of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended—

(1) by striking “February 12, 2011” each place it appears and inserting “December 31, 2013”; and

(2) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A), by striking “that chapter” and all that follows through “the worker is—” and inserting “that chapter if the worker is—”; and

(B) in subparagraph (A), by striking “petitions” and inserting “a petition”; and

(3) in subsection (b)—

(A) in paragraph (1)(B), in the matter preceding clause (i), by inserting “pursuant to a petition filed under section 251” after “chapter 3”; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting “pursuant to a petition filed under section 292” after “chapter 6”; and

(C) by striking paragraph (3).

#### **SEC. 233. SUNSET PROVISIONS.**

(a) **APPLICATION OF PRIOR LAW.**—Subject to subsection (b), beginning on January 1, 2014, the provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.), as in effect on February 13, 2011, shall apply, except that in applying and administering such chapters—

(1) paragraph (1) of section 231(c) of that Act shall be applied and administered as if subparagraphs (A), (B), and (C) of that paragraph were not in effect; and

(2) section 233 of that Act shall be applied and administered—

(A) in subsection (a)—

(i) in paragraph (2), by substituting “104-week period” for “104-week period” and all that follows through “130-week period”; and

(ii) in paragraph (3)—

(I) in the matter preceding subparagraph (A), by substituting “65” for “52”; and

(II) by substituting “78-week period” for “52-week period” each place it appears; and

(B) by applying and administering subsection (g) as if it read as follows:

“(g) **PAYMENT OF TRADE READJUSTMENT ALLOWANCES TO COMPLETE TRAINING.**—Notwithstanding any other provision of this section, in order to assist an adversely affected worker to complete training approved for the worker under section 236 that leads to the completion of a degree or industry-recognized credential, payments may be made as trade readjustment allowances for not more than 13 weeks within such period of eligibility as the Secretary may prescribe to account for a break in training or for justifiable cause that follows the last week for which the worker is otherwise entitled to a trade readjustment allowance under this chapter if—

“(1) payment of the trade readjustment allowance for not more than 13 weeks is necessary for the worker to complete the training;

“(2) the worker participates in training in each such week; and

“(3) the worker—

“(A) has substantially met the performance benchmarks established as part of the training approved for the worker;

“(B) is expected to continue to make progress toward the completion of the training; and

“(C) will complete the training during that period of eligibility.”;

(3) section 245 of that Act shall be applied and administered by substituting “2014” for “2007”; and

(4) section 246(b)(1) of that Act shall be applied and administered by substituting “December 31, 2014” for “the date that is 5 years” and all that follows through “State”; and

(5) section 256(b) of that Act shall be applied and administered by substituting “the 1-year period beginning on January 1, 2014” for “each of fiscal years 2003 through 2007, and \$4,000,000 for the 3-month period beginning on October 1, 2007”; and

(6) section 298(a) of that Act shall be applied and administered by substituting “the 1-year period beginning on January 1, 2014” for “each of the fiscal years” and all that follows through “October 1, 2007”; and

(7) section 285 of that Act shall be applied and administered—

(A) in subsection (a), by substituting “2014” for “2007” each place it appears; and

(B) by applying and administering subsection (b) as if it read as follows:

“(b) **OTHER ASSISTANCE.**—

“(1) **ASSISTANCE FOR FIRMS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), assistance may not be provided under chapter 3 after December 31, 2014.

“(B) **EXCEPTION.**—Notwithstanding subparagraph (A), any assistance approved under chapter 3 on or before December 31, 2014, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”;

“(2) **FARMERS.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), assistance may not be provided under chapter 6 after December 31, 2014.

“(B) **EXCEPTION.**—Notwithstanding subparagraph (A), any assistance approved under chapter 6 on or before December 31, 2014, may be provided—

“(i) to the extent funds are available pursuant to such chapter for such purpose; and

“(ii) to the extent the recipient of the assistance is otherwise eligible to receive such assistance.”;

(b) **EXCEPTIONS.**—The provisions of chapters 2, 3, 5, and 6 of title II of the Trade Act of 1974, as in effect on the date of the enactment of this Act, shall continue to apply on and after January 1, 2014, with respect to—

(1) workers certified as eligible for trade adjustment assistance benefits under chapter 2 of title II of that Act pursuant to petitions filed under section 221 of that Act before January 1, 2014; and

(2) firms certified as eligible for technical assistance or grants under chapter 3 of title II of that Act pursuant to petitions filed under section 251 of that Act before January 1, 2014; and

(3) agricultural commodity producers certified as eligible for technical or financial assistance under chapter 6 of title II of that Act pursuant to petitions filed under section 292 of that Act before January 1, 2014.

#### **Subtitle B—Health Coverage Improvement**

#### **SEC. 241. HEALTH CARE TAX CREDIT.**

(a) **TERMINATION OF CREDIT.**—Subparagraph (B) of section 35(b)(1) of the Internal Revenue Code of 1986 is amended by inserting “, and before January 1, 2014” before the period.



(b) EXTENSION THROUGH CREDIT TERMINATION DATE OF CERTAIN EXPIRED CREDIT PROVISIONS.—

(1) PARTIAL EXTENSION OF INCREASED CREDIT RATE.—Section 35(a) of such Code is amended by striking “65 percent (80 percent in the case of eligible coverage months beginning before February 13, 2011)” and inserting “72.5 percent”.

(2) EXTENSION OF ADVANCE PAYMENT PROVISIONS.—

(A) Section 7527(b) of such Code is amended by striking “65 percent (80 percent in the case of eligible coverage months beginning before February 13, 2011)” and inserting “72.5 percent”.

(B) Section 7527(d)(2) of such Code is amended by striking “which is issued before February 13, 2011”.

(C) Section 7527(e) of such Code is amended by striking “80 percent” and inserting “72.5 percent”.

(D) Section 7527(e) of such Code is amended by striking “In the case of eligible coverage months beginning before February 13, 2011—”.

(3) EXTENSION OF CERTAIN OTHER RELATED PROVISIONS.—

(A) Section 35(c)(2)(B) of such Code is amended by striking “and before February 13, 2011”.

(B) Section 35(e)(1)(K) of such Code is amended by striking “In the case of eligible coverage months beginning before February 13, 2012, coverage” and inserting “Coverage”.

(C) Section 35(g)(9) of such Code, as added by section 1899E(a) of the American Recovery and Reinvestment Tax Act of 2009 (relating to continued qualification of family members after certain events), is amended by striking “In the case of eligible coverage months beginning before February 13, 2011—”.

(D) Section 173(f)(8) of the Workforce Investment Act of 1998 is amended by striking “In the case of eligible coverage months beginning before February 13, 2011—”.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to coverage months beginning after February 12, 2011.

(2) ADVANCE PAYMENT PROVISIONS.—

(A) The amendment made by subsection (b)(2)(B) shall apply to certificates issued after the date which is 30 days after the date of the enactment of this Act.

(B) The amendment made by subsection (b)(2)(D) shall apply to coverage months beginning after the date which is 30 days after the date of the enactment of this Act.

#### SEC. 242. TAA PRE-CERTIFICATION PERIOD RULE FOR PURPOSES OF DETERMINING WHETHER THERE IS A 63-DAY LAPSE IN CREDITABLE COVERAGE.

(a) IN GENERAL.—The following provisions are each amended by striking “February 13, 2011” and inserting “January 1, 2014”:

(1) Section 9801(c)(2)(D) of the Internal Revenue Code of 1986.

(2) Section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(c)(2)(C)).

(3) Section 2701(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning before January 1, 2014).

(4) Section 2704(c)(2)(C) of the Public Health Service Act (as in effect for plan years beginning on or after January 1, 2014).

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after February 12, 2011.

(2) TRANSITIONAL RULES.—

(A) BENEFIT DETERMINATIONS.—Notwithstanding the amendments made by this section (and the provisions of law amended thereby), a plan shall not be required to

modify benefit determinations for the period beginning on February 13, 2011, and ending 30 days after the date of the enactment of this Act, but a plan shall not fail to be qualified health insurance within the meaning of section 35(e) of the Internal Revenue Code of 1986 during this period merely due to such failure to modify benefit determinations.

(B) GUIDANCE CONCERNING PERIODS BEFORE 30 DAYS AFTER ENACTMENT.—Except as provided in subparagraph (A), the Secretary of the Treasury (or his designee), in consultation with the Secretary of Health and Human Services and the Secretary of Labor, may issue regulations or other guidance regarding the scope of the application of the amendments made by this section to periods before the date which is 30 days after the date of the enactment of this Act.

(C) SPECIAL RULE RELATING TO CERTAIN LOSS OF COVERAGE.—In the case of a TAA-related loss of coverage (as defined in section 4980B(f)(5)(C)(iv) of the Internal Revenue Code of 1986) that occurs during the period beginning on February 13, 2011, and ending 30 days after the date of the enactment of this Act, the 7-day period described in section 9801(c)(2)(D) of the Internal Revenue Code of 1986, section 701(c)(2)(C) of the Employee Retirement Income Security Act of 1974, and section 2701(c)(2)(C) of the Public Health Service Act shall be extended until 30 days after such date of enactment.

#### SEC. 243. EXTENSION OF COBRA BENEFITS FOR CERTAIN TAA-ELIGIBLE INDIVIDUALS AND PBGC RECIPIENTS.

(a) IN GENERAL.—The following provisions are each amended by striking “February 12, 2011” and inserting “January 1, 2014”:

(1) Section 602(2)(A)(v) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1162(2)(A)(v)).

(2) Section 602(2)(A)(vi) of such Act (29 U.S.C. 1162(2)(A)(vi)).

(3) Section 4980B(f)(2)(B)(i)(V) of the Internal Revenue Code of 1986.

(4) Section 4980B(f)(2)(B)(i)(VI) of such Code.

(5) Section 2202(2)(A)(iv) of the Public Health Service Act (42 U.S.C. 300bb-2(2)(A)(iv)).

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to periods of coverage which would (without regard to the amendments made by this section) end on or after the date which is 30 days after the date of the enactment of this Act.

#### Subtitle C—Offsets

#### PART I—UNEMPLOYMENT

#### COMPENSATION PROGRAM INTEGRITY

#### SEC. 251. MANDATORY PENALTY ASSESSMENT ON FRAUD CLAIMS.

(a) IN GENERAL.—Section 303(a) of the Social Security Act (42 U.S.C. 503(a)) is amended—

(1) in paragraph (10), by striking the period at the end of subparagraph (B) and inserting “; and”; and

(2) by adding at the end the following new paragraph:

“(11)(A) At the time the State agency determines an erroneous payment from its unemployment fund was made to an individual due to fraud committed by such individual, the assessment of a penalty on the individual in an amount of not less than 15 percent of the amount of the erroneous payment; and

“(B) The immediate deposit of all assessments paid pursuant to subparagraph (A) into the unemployment fund of the State.”.

(b) APPLICATION TO FEDERAL PAYMENTS.—

(1) IN GENERAL.—As a condition for administering any unemployment compensation program of the United States (as defined in paragraph (2)) as an agent of the United States, if the State determines that an erroneous payment was made by the State to an

individual under any such program due to fraud committed by such individual, the State shall assess a penalty on such individual and deposit any such penalty received in the same manner as the State assesses and deposits such penalties under provisions of State law implementing section 303(a)(11) of the Social Security Act, as added by subsection (a).

(2) DEFINITION.—For purposes of this subsection, the term “unemployment compensation program of the United States” means—

(A) unemployment compensation for Federal civilian employees under subchapter I of chapter 85 of title 5, United States Code;

(B) unemployment compensation for ex-servicemembers under subchapter II of chapter 85 of title 5, United States Code;

(C) trade readjustment allowances under sections 231 through 234 of the Trade Act of 1974 (19 U.S.C. 2291–2294);

(D) disaster unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a));

(E) any Federal temporary extension of unemployment compensation;

(F) any Federal program which increases the weekly amount of unemployment compensation payable to individuals; and

(G) any other Federal program providing for the payment of unemployment compensation.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to erroneous payments established after the end of the 2-year period beginning on the date of the enactment of this Act.

(2) AUTHORITY.—A State may amend its State law to apply such amendments to erroneous payments established prior to the end of the period described in paragraph (1).

#### SEC. 252. PROHIBITION ON NONCHARGING DUE TO EMPLOYER FAULT.

(a) IN GENERAL.—Section 3303 of the Internal Revenue Code of 1986 is amended—

(1) by striking subsections (f) and (g); and

(2) by inserting after subsection (e) the following new subsection:

“(f) PROHIBITION ON NONCHARGING DUE TO EMPLOYER FAULT.—

“(1) IN GENERAL.—A State law shall be treated as meeting the requirements of subsection (a)(1) only if such law provides that an employer's account shall not be relieved of charges relating to a payment from the State unemployment fund if the State agency determines that—

“(A) the payment was made because the employer, or an agent of the employer, was at fault for failing to respond timely or adequately to the request of the agency for information relating to the claim for compensation; and

“(B) the employer or agent has established a pattern of failing to respond timely or adequately to such requests.

“(2) STATE AUTHORITY TO IMPOSE STRICTER STANDARDS.—Nothing in paragraph (1) shall limit the authority of a State to provide that an employer's account not be relieved of charges relating to a payment from the State unemployment fund for reasons other than the reasons described in subparagraphs (A) and (B) of such paragraph, such as after the first instance of a failure to respond timely or adequately to requests described in paragraph (1)(A).”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to erroneous payments established after the end of the 2-year period beginning on the date of the enactment of this Act.

(2) **AUTHORITY.**—A State may amend its State law to apply such amendments to erroneous payments established prior to the end of the period described in paragraph (1).

**SEC. 253. REPORTING OF REHIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES.**

(a) **DEFINITION OF NEWLY HIRED EMPLOYEE.**—Section 453A(a)(2) of the Social Security Act (42 U.S.C. 653a(a)(2)) is amended by adding at the end the following:

“(C) **NEWLY HIRED EMPLOYEE.**—The term ‘newly hired employee’ means an employee who—

“(i) has not previously been employed by the employer; or

“(ii) was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days.”.

(b) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the amendments made by this section shall take effect 6 months after the date of the enactment of this Act.

(2) **COMPLIANCE TRANSITION PERIOD.**—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan under part D of title IV of the Social Security Act to meet the additional requirement imposed by the amendment made by subsection (a), the plan shall not be regarded as failing to meet such requirement before the first day of the second calendar quarter beginning after the close of the first regular session of the State legislature that begins after the effective date of such amendment. If the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

**PART II—ADDITIONAL OFFSETS**

**SEC. 261. IMPROVEMENTS TO CONTRACTS WITH MEDICARE QUALITY IMPROVEMENT ORGANIZATIONS (QIOS) IN ORDER TO IMPROVE THE QUALITY OF CARE FURNISHED TO MEDICARE BENEFICIARIES.**

(a) **AUTHORITY TO CONTRACT WITH A BROAD RANGE OF ENTITIES.**—

(1) **DEFINITION.**—Section 1152 of the Social Security Act (42 U.S.C. 1320c-1) is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

“(1) is able, as determined by the Secretary, to perform its functions under this part in a manner consistent with the efficient and effective administration of this part and title XVIII;

“(2) has at least one individual who is a representative of health care providers on its governing body; and”.

(2) **NAME CHANGE.**—Part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.) is amended—

(A) in the headings for sections 1152 and 1153, by striking “UTILIZATION AND QUALITY CONTROL PEER REVIEW” and inserting “QUALITY IMPROVEMENT”;

(B) in the heading for section 1154, by striking “PEER REVIEW” and inserting “QUALITY IMPROVEMENT”;

(C) by striking “utilization and quality control peer review” and “peer review” each place it appears before “organization” or “organizations” and inserting “quality improvement”.

(3) **CONFORMING AMENDMENTS TO THE MEDICARE PROGRAM.**—Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended—

(A) by striking “utilization and quality control peer review” and inserting “quality improvement” each place it appears;

(B) by striking “quality control and peer review” and inserting “quality improvement” each place it appears;

(C) in paragraphs (1)(A)(iii)(I) and (2) of section 1842(1), by striking “peer review organization” and inserting “quality improvement organization”;

(D) in subparagraphs (A) and (B) of section 1866(a)(3), by striking “peer review” and inserting “quality improvement”;

(E) in section 1867(d)(3), in the heading, by striking “PEER REVIEW” and inserting “QUALITY IMPROVEMENT”;

(F) in section 1869(c)(3)(G), by striking “peer review organizations” and inserting “quality improvement organizations”.

(b) **IMPROVEMENTS WITH RESPECT TO THE CONTRACT.**—

(1) **FLEXIBILITY WITH RESPECT TO THE GEOGRAPHIC SCOPE OF CONTRACTS.**—Section 1153 of the Social Security Act (42 U.S.C. 1320c-2) is amended—

(A) by striking subsection (a) and inserting the following new subsection:

“(a) The Secretary shall establish throughout the United States such local, State, regional, national, or other geographic areas as the Secretary determines appropriate with respect to which contracts under this part will be made.”;

(B) in subsection (b)(1), as amended by subsection (a)(2)—

(i) in the first sentence, by striking “a contract with a quality improvement organization” and inserting “contracts with one or more quality improvement organizations”; and

(ii) in the second sentence, by striking “meets the requirements” and all that follows before the period at the end and inserting “will be operating in an area, the Secretary shall ensure that there is no duplication of the functions carried out by such organizations within the area”;

(C) in subsection (b)(2)(B), by inserting “or the Secretary determines that there is a more qualified entity to perform one or more of the functions in section 1154(a)” after “under this part”;

(D) in subsection (b)(3)—

(i) in subparagraph (A), by striking “, or association of such facilities,”; and

(ii) in subparagraph (B)—

(I) by striking “or association of such facilities”; and

(II) by striking “or associations”; and

(E) by striking subsection (i).

(2) **EXTENSION OF LENGTH OF CONTRACTS.**—Section 1153(c)(3) of the Social Security Act (42 U.S.C. 1320c-2(c)(3)) is amended—

(A) by striking “three years” and inserting “five years”; and

(B) by striking “on a triennial basis” and inserting “for terms of five years”.

(3) **AUTHORITY TO TERMINATE IN A MANNER CONSISTENT WITH THE FEDERAL ACQUISITION REGULATION.**—Section 1153 of the Social Security Act (42 U.S.C. 1320c-2) is amended—

(A) in subsection (b), by adding at the end the following new paragraph:

“(4) The Secretary may consider a variety of factors in selecting the contractors that the Secretary determines would provide for the most efficient and effective administration of this part, such as geographic location, size, and prior experience in health care quality improvement. Quality improvement organizations operating as of January 1, 2012, shall be allowed to compete for new contracts (as determined appropriate by the Secretary) along with other qualified organizations and are eligible for renewal of contracts for terms five years thereafter (as determined appropriate by the Secretary).”;

(B) in subsection (c), by striking paragraphs (4) through (6) and redesignating paragraphs (7) and (8) as paragraphs (4) and (5), respectively; and

(C) by striking subsection (d).

(4) **ADMINISTRATIVE IMPROVEMENT.**—Section 1153(c)(5) of the Social Security Act (42

U.S.C. 1320c-2(c)(5)), as redesignated by this subsection, is amended to read as follows:

“(5) reimbursement shall be made to the organization on a monthly basis, with payments for any month being made consistent with the Federal Acquisition Regulation.”.

(c) **AUTHORITY FOR QUALITY IMPROVEMENT ORGANIZATIONS TO PERFORM SPECIALIZED FUNCTIONS AND TO ELIMINATE CONFLICTS OF INTEREST.**—Part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.) is amended—

(1) in section 1153—

(A) in subsection (b)(1), as amended by subsection (b)(1)(B), by inserting after the first sentence the following new sentence: “In entering into contracts with such qualified organizations, the Secretary shall, to the extent appropriate, seek to ensure that each of the functions described in section 1154(a) are carried out within an area established under subsection (a).”; and

(B) in subsection (c)(1), by striking “the functions set forth in section 1154(a), or may subcontract for the performance of all or some of such functions” and inserting “a function or functions under section 1154 directly or may subcontract for the performance of all or some of such function or functions”; and

(2) in section 1154—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking “Any” and inserting “Subject to subsection (b), any”; and

(II) by inserting “one or more of” before “the following functions”;

(ii) in paragraph (4), by striking subparagraph (C);

(iii) by inserting after paragraph (11) the following new paragraph:

“(12) As part of the organization’s review responsibility under paragraph (1), the organization shall review all ambulatory surgical procedures specified pursuant to section 1833(i)(1)(A) which are performed in the area, or, at the discretion of the Secretary, a sample of such procedures.”; and

(iv) in paragraph (15), by striking “significant on-site review activities” and all that follows before the period at the end and inserting “on-site review activities as the Secretary determines appropriate”.

(B) by striking subsection (d) and redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(C) by inserting after subsection (a) the following new subsection:

“(b) A quality improvement organization entering into a contract with the Secretary to perform a function described in a paragraph under subsection (a) must perform all of the activities described in such paragraph, except to the extent otherwise negotiated with the Secretary pursuant to the contract or except for a function for which the Secretary determines it is not appropriate for the organization to perform, such as a function that could cause a conflict of interest with another function.”.

(d) **QUALITY IMPROVEMENT AS SPECIFIED FUNCTION.**—Section 1154(a) of the Social Security Act (42 U.S.C. 1320c-3(a)) is amended by adding at the end the following new paragraph:

“(18) The organization shall perform, subject to the terms of the contract, such other activities as the Secretary determines may be necessary for the purposes of improving the quality of care furnished to individuals with respect to items and services for which payment may be made under title XVIII.”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply to contracts entered into or renewed on or after January 1, 2012.



**SEC. 262. RATES FOR MERCHANDISE PROCESSING FEES.**

(a) FEES FOR PERIOD FROM JULY 1, 2014, TO NOVEMBER 30, 2015.—For the period beginning on July 1, 2014, and ending on November 30, 2015, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(1) in subparagraph (A), by substituting “0.3464” for “0.21”; and

(2) in subparagraph (B)(i), by substituting “0.3464” for “0.21”.

(b) FEES FOR PERIOD FROM OCTOBER 1, 2016, TO SEPTEMBER 30, 2019.—For the period beginning on October 1, 2016, and ending on September 30, 2019, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(1) in subparagraph (A), by substituting “0.1740” for “0.21”; and

(2) in subparagraph (B)(i), by substituting “0.1740” for “0.21”.

**SEC. 263. TIME FOR REMITTING CERTAIN MERCHANDISE PROCESSING FEES.**

(a) IN GENERAL.—Notwithstanding any other provision of law, any fees authorized under paragraphs (9) and (10) of section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9) and (10)) with respect to processing merchandise entered on or after October 1, 2012, and before November 12, 2012, shall be paid not later than September 25, 2012, in an amount equivalent to the amount of such fees paid by the person responsible for such fees with respect to merchandise entered on or after October 1, 2011, and before November 12, 2011, as determined by the Secretary of the Treasury.

(b) RECONCILIATION OF MERCHANDISE PROCESSING FEES.—

(1) IN GENERAL.—Not later than December 12, 2012, the Secretary of the Treasury shall reconcile the fees paid pursuant to subsection (a) with the fees for services actually provided on or after October 1, 2012, and before November 12, 2012.

(2) REFUNDS OF OVERPAYMENTS.—

(A) After making the reconciliation required under paragraph (1), the Secretary of the Treasury shall refund with interest any overpayment of such fees made under subsection (a) and make proper adjustments with respect to any underpayment of such fees.

(B) No interest may be assessed with respect to any such underpayment that was based on the amount of fees paid for merchandise entered on or after October 1, 2012, and before November 12, 2012.

**SA 634.** Mr. CORNYN (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SALE OF F-16 AIRCRAFT TO TAIWAN.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of Defense, in its 2011 report to Congress on “Military and Security Developments Involving the People’s Republic of China,” found that “China continued modernizing its military in 2010, with a focus on Taiwan contingencies, even as cross-strait relations improved. The PLA seeks the capability to deter Taiwan independence and influence Taiwan to settle the dispute on Beijing’s terms. In pursuit of this objective, Beijing is developing capabilities intended to

deter, delay, or deny possible U.S. support for the island in the event of conflict. The balance of cross-strait military forces and capabilities continues to shift in the mainland’s favor.” In this report, the Department of Defense also concludes that, over the next decade, China’s air force will remain primarily focused on “building the capabilities required to pose a credible military threat to Taiwan and U.S. forces in East Asia, deter Taiwan independence, or influence Taiwan to settle the dispute on Beijing’s terms”.

(2) The Defense Intelligence Agency (DIA) conducted a preliminary assessment of the status and capabilities of Taiwan’s air force in an unclassified report, dated January 21, 2010. The DIA found that, “[a]lthough Taiwan has nearly 400 combat aircraft in service, far fewer of these are operationally capable.” The report concluded, “Many of Taiwan’s fighter aircraft are close to or beyond service life, and many require extensive maintenance support. The retirement of Mirage and F-5 aircraft will reduce the total size of the Taiwan Air Force.”

(3) Since 2006, authorities from Taiwan have made repeated requests to purchase 66 F-16C/D multirole fighter aircraft from the United States, in an effort to modernize the air force of Taiwan and maintain its self-defense capability.

(4) According to a report by the Perryman Group, a private economic research and analysis firm, the requested sale of F-16C/Ds to Taiwan “would generate some \$8,700,000,000 in output (gross product) and more than 87,664 person-years of employment in the US,” including 23,407 direct jobs, while “economic benefits would likely be realized in 44 states and the District of Columbia”.

(5) The sale of F-16C/Ds to Taiwan would both sustain existing high-skilled jobs in key United States manufacturing sectors and create new ones.

(6) On August 1, 2011, a bipartisan group of 181 members of the House of Representatives sent a letter to the President, expressing support for the sale of F-16C/Ds to Taiwan. On May 26, 2011, a bipartisan group of 45 members of the Senate sent a similar letter to the President, expressing support for the sale. Two other members of the Senate wrote separately to the President or the Secretary of State in 2011 and expressed support for this sale.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a critical element to maintaining peace and stability in Asia in the face of China’s two-decade-long program of military modernization and expansion of military capabilities is ensuring a militarily strong and confident Taiwan;

(2) a Taiwan that is confident in its ability to deter Chinese aggression will increase its ability to proceed in developing peaceful relations with China in areas of mutual interest;

(3) the cross-strait military balance between China and our longstanding strategic partner, Taiwan, has clearly shifted in China’s favor;

(4) China’s military expansion poses a clear and present danger to Taiwan, and this threat has very serious implications for the ability of the United States to fulfill its security obligations to allies in the region and protect our vital United States national interests in East Asia;

(5) Taiwan’s air force continues to deteriorate, and it needs additional advanced multirole fighter aircraft in order to modernize its fleet and maintain a sufficient self-defense capability;

(6) the United States has a statutory obligation under the Taiwan Relations Act (22 U.S.C. 3301 et seq.) to provide Taiwan the defense articles necessary to enable Taiwan to

maintain sufficient self-defense capabilities, in furtherance of maintaining peace and stability in the western Pacific region;

(7) in order to comply with the Taiwan Relations Act, the United States must provide Taiwan with additional advanced multirole fighter aircraft, as well as significant upgrades to Taiwan’s existing fleet of multirole fighter aircraft; and

(8) the proposed sale of F-16C/D multirole fighter aircraft to Taiwan would have significant economic benefits to the United States economy.

(c) SALE OF AIRCRAFT.—The President shall carry out the sale of no fewer than 66 F-16C/D multirole fighter aircraft to Taiwan.

**SA 635.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1094, to reauthorize the Combating Autism Act of 2006 (Public Law 109-416); which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

**SEC. 3. FUNDING.**

Notwithstanding any other provision of law, the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health, may continue to fund programs authorized under part R of title III of the Public Health Service Act (42 U.S.C. 280i et seq.) using funds otherwise available to the Secretary or the Directors, and shall identify and consolidate duplicative and overlapping autism programs and initiatives throughout the Federal Government.

**SA 636.** Mr. CARDIN (for himself, Mr. SCHUMER, and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following new title:

**TITLE \_\_\_\_ —MODIFICATION OF WOOL TRUST FUND****SEC. \_\_\_\_ 01. MODIFICATION OF WOOL APPAREL MANUFACTURERS TRUST FUND.**

(a) IN GENERAL.—Section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108-429; 118 Stat. 2600) is amended—

(1) in subparagraph (A), by striking “subject to the limitation in subparagraph (B)” and inserting “subject to subparagraphs (B) and (C)”; and

(2) by adding at the end the following new subparagraph:

“(C) ALTERNATIVE FUNDING SOURCE.—Subparagraph (A) shall be applied and administered by substituting ‘chapter 62’ for ‘chapter 51’ for any period of time with respect to which the Secretary notifies Congress that amounts determined by the Secretary to be equivalent to amounts received in the general fund of the Treasury of the United States that are attributable to the duty received on articles classified under chapter 51 of the Harmonized Tariff Schedule of the United States are not sufficient to make payments under paragraph (3) or grants under paragraph (6).”.

(b) FULL RESTORATION OF PAYMENT LEVELS IN CALENDAR YEARS 2010 AND 2011.—

(1) TRANSFER OF AMOUNTS.—

(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Treasury shall transfer to the Wool Apparel Manufacturers Trust Fund, out of the general fund of the Treasury of the United States, amounts determined by

the Secretary of the Treasury to be equivalent to amounts received in the general fund that are attributable to the duty received on articles classified under chapter 51 or chapter 62 of the Harmonized Tariff Schedule of the United States (as determined under section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108-429; 118 Stat. 2600)), subject to the limitation in subparagraph (B).

(B) LIMITATION.—The Secretary of the Treasury shall not transfer more than the amount determined by the Secretary to be necessary for—

(i) U.S. Customs and Border Protection to make payments to eligible manufacturers under section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amount of such payments, when added to any other payments made to eligible manufacturers under section 4002(c)(3) of such Act for calendar years 2010 and 2011, equal the total amount of payments authorized to be provided to eligible manufacturers under section 4002(c)(3) of such Act for calendar years 2010 and 2011; and

(ii) the Secretary of Commerce to provide grants to eligible manufacturers under section 4002(c)(6) of the Miscellaneous Trade and Technical Corrections Act of 2004 so that the amounts of such grants, when added to any other grants made to eligible manufacturers under section 4002(c)(6) of such Act for calendar years 2010 and 2011, equal the total amount of grants authorized to be provided to eligible manufacturers under section 4002(c)(6) of such Act for calendar years 2010 and 2011.

(2) PAYMENT OF AMOUNTS.—U.S. Customs and Border Protection shall make payments described in paragraph (1) to eligible manufacturers not later than 30 days after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund. The Secretary of Commerce shall promptly provide grants described in paragraph (1) to eligible manufacturers after such transfer of amounts from the general fund of the Treasury of the United States to the Wool Apparel Manufacturers Trust Fund.

(c) RULE OF CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to affect the availability of amounts transferred to the Wool Apparel Manufacturers Trust Fund before the date of the enactment of this Act.

(d) CONFORMING AMENDMENTS.—Title IV of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108-429; 118 Stat. 2600) is amended by striking “Bureau of Customs and Border Protection” each place it appears and inserting “U.S. Customs and Border Protection”.

(e) DISCRETIONARY AUTHORITY.—

(1) IN GENERAL.—Section 4002(c)(3) of Public Law 108-429 is amended by inserting “(or to protect domestic manufacturing employment, and at the sole discretion of the U.S. Customs and Border Protection, no later than April 15)” after “March 1 of the year of the payment”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall be effective for payment year 2011 and thereafter.

**SA 637.** Mr. BINGAMAN (for himself, Mr. AKAKA, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 65, strike line 21 and all that follows through page 66, line 6, and insert the following:

(a) FEES FOR PERIOD FROM OCTOBER 1, 2011, TO NOVEMBER 30, 2015.—

(1) IN GENERAL.—For the period beginning on October 1, 2011, and ending on November 30, 2015, section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) shall be applied and administered—

(A) in subparagraph (A), by substituting “0.3474” for “0.21”; and

(B) in subparagraph (B)(i), by substituting “0.3474” for “0.21”.

(2) AVAILABILITY OF FUNDS FOR TRADE ENFORCEMENT.—Of the amount of fees received under section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(9)) for the period beginning October 1, 2011, and ending December 31, 2014, not to exceed \$15,000,000 shall be available to the Office of the United States Trade Representative until December 31, 2014, for activities relating to trade enforcement.

**SA 638.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE III—MISCELLANEOUS

##### SEC. 301. REPORTS ON ECONOMIC AND EMPLOYMENT IMPACT OF FREE TRADE AGREEMENTS.

Not later than 10 years after the date of the enactment of this Act, and every 10 years thereafter, the United States International Trade Commission shall submit to Congress a report on the impact of free trade agreements to which the United States is a party on the economy of, and employment in, the United States.

**SA 639.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE —CITRUS DISEASE RESEARCH AND DEVELOPMENT

##### SEC. 01. SHORT TITLE.

This title may be cited as the “Citrus Disease Research and Development Trust Fund Act of 2011”.

##### SEC. 02. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) duties collected on imports of citrus and citrus products have ranged from \$50,000,000 to \$87,000,000 annually since 2004, and are projected to increase, as United States production declines due to the effects of huanglongbing (also known as “HLB” or “citrus greening disease”) and imports increase in response to the shortfall in the United States;

(2) in cases involving other similarly situated agricultural commodities, notably wool, the Federal Government has chosen to divert a portion of the tariff revenue collected on imported products to support efforts of the domestic industry to address challenges facing the industry;

(3) citrus and citrus products are a highly nutritious and healthy part of a balanced diet;

(4) citrus production is an important part of the agricultural economy in Florida, California, Arizona, and Texas;

(5) in the most recent years preceding the date of enactment of this Act, citrus fruits

have been produced on 900,000 acres, yielding 11,000,000 tons of citrus products with a value at the farm of more than \$3,200,000,000;

(6) the commercial citrus sector employs approximately 110,000 people and contributes approximately \$13,500,000,000 to the United States economy;

(7) the United States citrus industry has suffered billions of dollars in damage from disease and pests, both domestic and invasive, over the decade preceding the date of enactment of this Act, particularly from huanglongbing;

(8) huanglongbing threatens the entire United States citrus industry because the disease kills citrus trees;

(9) as of the date of enactment of this Act, there are no cost effective or environmentally sound treatments available to suppress or eradicate huanglongbing;

(10) United States citrus producers working with Federal and State governments have devoted tens of millions of dollars toward research and efforts to combat huanglongbing and other diseases and pests, but more funding is needed to develop and commercialize disease and pest solutions;

(11) although imports constitute an increasing share of the United States market, importers of citrus products into the United States do not directly fund production research in the United States;

(12) disease and pest suppression technologies require determinations of safety and solutions must be commercialized before use by citrus producers;

(13) the complex processes involved in discovery and commercialization of safe and effective pest and disease suppression technologies are expensive and lengthy and the need for the technologies is urgent; and

(14) research to develop solutions to suppress huanglongbing, or other domestic and invasive pests and diseases will benefit all citrus producers and consumers around the world.

(b) PURPOSES.—The purposes of this Act are—

(1) to authorize the establishment of a trust funded by certain tariff revenues to support scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States; and

(2) to require the President to notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before entering into any trade agreement that would decrease the amount of duties collected on imports of citrus products to less than the amount necessary to provide the grants authorized by section 1001(d) of the Trade Act of 1974, as added by section 3(a) of this Act.

(c) EFFECT ON OTHER ACTIVITIES.—Nothing in this Act restricts the use of any funds for scientific research and technical activities in the United States.

##### SEC. 03. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2102 et seq.) is amended by adding at the end the following:

#### “TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

##### “SEC. 1001. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

“(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the ‘Citrus Disease Research and Development Trust Fund’ (in this section referred to as the ‘Trust Fund’), consisting of such amounts as may be transferred to the Trust Fund under subsection (b)(1) and any amounts that may be credited to the Trust Fund under subsection (d)(2).

“(b) TRANSFER OF AMOUNTS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Secretary of the Treasury shall transfer to the Trust Fund amounts that are attributable to the duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States.

“(2) LIMITATION.—The amount transferred to the Trust Fund under paragraph (1) in any fiscal year may not exceed the lesser of—

“(A) an amount equal to  $\frac{1}{3}$  of the amount attributable to the duties received on articles described in paragraph (1); or

“(B) \$30,000,000.

“(c) AVAILABILITY OF AMOUNTS IN TRUST FUND.—

“(1) AMOUNTS AVAILABLE UNTIL EXPENDED.—Amounts in the Trust Fund shall remain available until expended without further appropriation.

“(2) AVAILABILITY FOR CITRUS DISEASE RESEARCH AND DEVELOPMENT EXPENDITURES.—Amounts in the Trust Fund shall be available to the Secretary of Agriculture—

“(A) for expenditures relating to citrus disease research and development under section 404 of the Citrus Disease Research and Development Trust Fund Act of 2011, including costs relating to contracts or other agreements entered into to carry out citrus disease research and development; and

“(B) to cover administrative costs incurred by the Secretary in carrying out the provisions of that Act.

“(d) INVESTMENT OF TRUST FUND.—

“(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

“(2) INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

“(e) REPORTS TO CONGRESS.—Not later than January 15, 2013, and each year thereafter until the year after the termination of the Trust Fund, the Secretary of the Treasury, in consultation with the Secretary of Agriculture, shall submit to Congress a report on the financial condition and the results of the operations of the Trust Fund that includes—

“(1) a detailed description of the amounts disbursed from the Trust Fund in the preceding fiscal year and the manner in which those amounts were expended;

“(2) an assessment of the financial condition and the operations of the Trust Fund for the current fiscal year; and

“(3) an assessment of the amounts available in the Trust Fund for future expenditures.

“(f) REMISSION OF SURPLUS FUNDS.—The Secretary of the Treasury may remit to the general fund of the Treasury such amounts as the Secretary of Agriculture reports to be in excess of the amounts necessary to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2011.

“(g) SUNSET PROVISION.—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of the Citrus Disease Research and Development Trust Fund Act of 2011 and all amounts in the Trust Fund on December 31 of that fifth calendar year shall

be transferred to the general fund of the Treasury.

**“SEC. 1002. REPORTS REQUIRED BEFORE ENTERING INTO CERTAIN TRADE AGREEMENTS.**

“The President shall notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than 90 days before entering into a trade agreement if the President determines that entering into the trade agreement could result—

“(1) in a decrease in the amount of duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States; and

“(2) in a decrease in the amount of funds being transferred into the Citrus Disease Research and Development Trust Fund under section 1001 so that amounts available in the Trust Fund are insufficient to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2011.”

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Act of 1974 is amended by adding at the end the following:

**“TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND**

**“Sec. 1001. Citrus Disease Research and Development Trust Fund.**

**“Sec. 1002. Reports required before entering into certain trade agreements.”**

**SEC. 404. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND ADVISORY BOARD.**

(a) PURPOSE.—The purpose of this section is to establish an orderly procedure and financing mechanism for the development of an effective and coordinated program of research and product development relating to—

(1) scientific research concerning diseases and pests, both domestic and invasive, afflicting the citrus industry; and

(2) support for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Citrus Disease Research and Development Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 3(a) of this Act, or through other research projects intended to solve problems caused by citrus production diseases and invasive pests.

(b) DEFINITIONS.—In this section:

(1) BOARD.—The term “Board” means the Citrus Disease Research and Development Trust Fund Advisory Board established under this section.

(2) CITRUS.—

(A) IN GENERAL.—The term “citrus” means edible fruit of the family Rutaceae, commonly called “citrus”.

(B) INCLUSION.—The term “citrus” includes all citrus hybrids and products of citrus hybrids that are produced for commercial purposes in the United States.

(3) DEPARTMENT.—The term “Department” means the Department of Agriculture.

(4) PERSON.—The term “person” means any individual, group of individuals, firm, partnership, corporation, joint stock company, association, cooperative, or other legal entity.

(5) PRODUCER.—The term “producer” means any person that is engaged in the domestic production and commercial sale of citrus in the United States.

(6) PROGRAM.—The term “program” means the citrus research and development program authorized under this section.

(7) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(8) TRUST FUND.—The term “Trust Fund” means the Citrus Disease Research and De-

velopment Trust Fund established under section 1001 of the Trade Act of 1974, as added by section 3(a) of this title.

(c) IMPLEMENTATION.—

(1) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

(2) CITRUS ADVISORY BOARD.—

(A) ESTABLISHMENT AND MEMBERSHIP.—

(i) ESTABLISHMENT.—The Citrus Disease Research and Development Trust Fund Advisory Board shall consist of 9 members.

(ii) MEMBERSHIP.—The members of the Board shall be appointed by the Secretary.

(iii) STATUS.—Members of the Board represent the interests of the citrus industry and shall not be considered officers or employees of the Federal Government solely due to membership on the Board.

(B) DISTRIBUTION OF APPOINTMENTS.—The membership of the Board shall consist of—

(i) 5 members who are domestic producers of citrus in Florida;

(ii) 3 members who are domestic producers of citrus in Arizona or California; and

(iii) 1 member who is a domestic producer of citrus in Texas.

(C) CONSULTATION.—Prior to making appointments to the Board, the Secretary shall consult with organizations composed primarily of citrus producers to receive advice and recommendations regarding Board membership.

(D) BOARD VACANCIES.—

(i) IN GENERAL.—The Secretary shall appoint a new Board member to serve the remainder of a term vacated by a departing Board member.

(ii) REQUIREMENTS.—When filling a vacancy on the Board, the Secretary shall—

(I) appoint a citrus producer from the same State as the Board member being replaced; and

(II) prior to making an appointment, consult with organizations in that State composed primarily of citrus producers to receive advice and recommendations regarding the vacancy.

(E) TERMS.—

(i) IN GENERAL.—Except as provided in clause (ii), each term of appointment to the Board shall be for 5 years.

(ii) INITIAL APPOINTMENTS.—In making initial appointments to the Board, the Secretary shall appoint  $\frac{1}{3}$  of the members to terms of 1, 3, and 5 years, respectively.

(F) DISQUALIFICATION FROM BOARD SERVICE.—If a member or alternate of the Board who was appointed as a domestic producer ceases to be a producer in the State from which the member was appointed, or fails to fulfill the duties of the member according to the rules established by the Board under paragraph (4)(A)(ii), the member or alternate shall be disqualified from serving on the Board.

(G) COMPENSATION.—

(i) IN GENERAL.—The members of the Board shall serve without compensation, other than travel expenses described in clause (ii).

(ii) TRAVEL EXPENSES.—A member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Board.

(3) POWERS.—

(A) GIFTS.—The Board may accept, use, and dispose of gifts or donations of services or property.

(B) POSTAL SERVICES.—The Board may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(C) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Board may accept and use the services of volunteers serving without compensation.

(D) TECHNICAL AND LOGISTICAL SUPPORT.—Subject to the availability of funds, the Secretary shall provide to the Board technical and logistical support through contract or other means, including—

(i) procuring the services of experts and consultants in accordance with section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5332 of that title; and

(ii) entering into contracts with departments, agencies, and instrumentalities of the Federal Government, State agencies, and private entities for the preparation of reports, surveys, and other activities.

(E) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(i) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission on a reimbursable or nonreimbursable basis.

(ii) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(F) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Board on a reimbursable basis administrative support and other services for the performance of the duties of the Board.

(G) OTHER DEPARTMENTS AND AGENCIES.—Departments and agencies of the United States may provide to the Board such services, funds, facilities, staff, and other support services as may be appropriate.

(4) GENERAL RESPONSIBILITIES OF THE BOARD.—

(A) IN GENERAL.—The regulations promulgated by the Secretary shall define the general responsibilities of the Board, which shall include the responsibilities—

(i) to meet, organize, and select from among the members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines to be appropriate;

(ii) to adopt and amend rules and regulations governing the conduct of the activities of the Board and the performance of the duties of the Board;

(iii) to hire such experts and consultants as the Board considers necessary to enable the Board to perform the duties of the Board;

(iv) to advise the Secretary on citrus research and development needs;

(v) to propose a research and development agenda and annual budgets for the Trust Fund;

(vi) to evaluate and review ongoing research funded by Trust Fund;

(vii) to engage in regular consultation and collaboration with the Department and other institutional, governmental, and private actors conducting scientific research into the causes or treatments of citrus diseases and pests, both domestic and invasive, so as to—

(I) maximize the effectiveness of the activities;

(II) hasten the development of useful treatments; and

(III) avoid duplicative and wasteful expenditures; and

(viii) to provide the Secretary with such information and advice as the Secretary may request.

(5) CITRUS RESEARCH AND DEVELOPMENT AGENDA AND BUDGETS.—

(A) IN GENERAL.—The Board shall submit annually to the Secretary a proposed research and development agenda and budget for the Trust Fund, which shall include—

(i) an evaluation of ongoing research and development efforts;

(ii) specific recommendations for new citrus research projects;

(iii) a plan for the dissemination and commercialization of relevant information, techniques, and technologies discovered pursuant to research funded through the Trust Fund; and

(iv) a justification for Trust Fund expenditures.

(B) AFFIRMATIVE SUPPORT REQUIRED.—A research and development agenda and budget may not be submitted by the Board to the Secretary without the affirmative support of at least 7 members of the Board.

(C) SECRETARIAL APPROVAL.—

(i) IN GENERAL.—Not later than 60 days after receiving the proposed research and development agenda and budget from the Board and consulting with the Board, the Secretary shall finalize a citrus research and development agenda and Trust Fund budget.

(ii) CONSIDERATIONS.—In finalizing the agenda and budget, the Secretary shall—

(I) due to the proximity of citrus producers to the effects of diseases such as huanglongbing and the quickly evolving nature of scientific understanding of the effect of the diseases on citrus production, give strong deference to the proposed research and development agenda and budget from the Board; and

(II) take into account other public and private citrus-related research and development projects and funding.

(D) REPORT TO CONGRESS.—Each year, the Secretary shall submit to the Committee on Agriculture and the Committee on Ways and Means of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Finance of the Senate a report that includes—

(i) the most recent citrus research and development agenda and budget of the Secretary;

(ii) an analysis of how, why, and to what extent the agenda and budget finalized by the Secretary differs from the proposal of the Board;

(iii) an examination of new developments in the spread and control of citrus diseases and pests;

(iv) a discussion of projected research needs; and

(v) a review of the effectiveness of the Trust Fund in achieving the purpose described in subsection (a).

(6) CONTRACTS AND AGREEMENTS.—To ensure the efficient use of funds, the Secretary may enter into contracts or agreements with public or private entities for the implementation of a plan or project for citrus research.

(d) ADMINISTRATIVE COSTS.—Each fiscal year, the Secretary may transfer up to \$2,000,000 of amounts in the Trust Fund to the Board for expenses incurred by the Board in carrying out the duties of the Board.

(e) TERMINATION OF BOARD.—The Board shall terminate on December 31 of the fifth calendar year that begins after the date of enactment of this Act.

**SA 640.** Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

**SEC. 03. MODIFICATION OF STANDARD FOR PROVISIONS THAT MAY BE INCLUDED IN IMPLEMENTING BILLS.**

Section 2103(b) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3803(b)), as amended by section 02, is further amended in paragraph (3)(B) by striking clause (ii) and inserting the following:

“(ii) provisions that are necessary to the implementation and enforcement of such trade agreement.”.

**SA 641.** Mr. HATCH proposed an amendment to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; as follows:

On page 31 of the amendment, between lines 7 and 8, insert the following:

**SEC. 231. EFFECTIVE DATE FOR TRADE ADJUSTMENT ASSISTANCE CONTINGENT ON ENACTMENT OF CERTAIN FREE TRADE AGREEMENT IMPLEMENTING BILLS.**

Notwithstanding section 201(b) or any other provision of this subtitle, the amendments made by this subtitle shall take effect on the date on which the United States–Korea Free Trade Agreement Implementation Act, the United States–Colombia Trade Promotion Agreement Implementation Act, and the United States–Panama Trade Promotion Agreement Implementation Act have been enacted into law.

**SA 642.** Mr. HATCH submitted an amendment intended to be proposed to amendment SA 633 submitted by Mr. CASEY (for himself, Mr. BROWN of Ohio, and Mr. BAUCUS) to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

On page 31 of the amendment, between lines 6 and 7, insert the following:

**SEC. 224. MODIFICATION OF TRADE ADJUSTMENT ASSISTANCE ELIGIBILITY REQUIREMENTS.**

(a) TRADE ADJUSTMENT ASSISTANCE FOR WORKERS.—Section 222 of the Trade Act of 1974 (19 U.S.C. 2272), as amended by section 211(a), is further amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(iii), by striking “contributed importantly to such workers’ separation or threat of separation and to” and inserting “was a substantial cause of such workers’ separation or threat of separation and of”; and

(B) in subparagraph (B)(ii), by striking “contributed importantly to” and inserting “was a substantial cause of”;

(2) in paragraph (3)(B) of subsection (b), as redesignated by section 211(a), by striking “contributed importantly to” and inserting “was a substantial cause of”; and

(3) in subsection (c), as redesignated and amended by section 211(a), by striking paragraph (1) and redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(b) TRADE ADJUSTMENT ASSISTANCE FOR FIRMS.—Section 251 of the Trade Act of 1974 (19 U.S.C. 2341) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(C), by striking “contributed importantly to such total or partial separation, or threat thereof, and to” and inserting “were a substantial cause of such total or partial separation, or threat thereof, and of”; and

(B) in paragraph (2)—

(i) by striking subparagraph (A);

(ii) by striking “(B)”; and

(iii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving such subparagraphs, as so redesignated, 2 ems to the left.

(c) TRADE ADJUSTMENT ASSISTANCE FOR FARMERS.—

(1) IN GENERAL.—Section 292(c)(3) of the Trade Act of 1974 (19 U.S.C. 2401a(c)(3)) is

amended by striking “contributed importantly to” and inserting “was a substantial cause of”.

(2) CONFORMING AMENDMENT.—Section 291 of the Trade Act of 1974 (19 U.S.C. 2401) is amended by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively.

**SA 643.** Ms. CANTWELL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 2832, to extend the Generalized System of Preferences, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following new title:

**TITLE —AFFORDABLE FOOTWEAR**

**SEC. 01. SHORT TITLE.**

This title may be cited as the “Affordable Footwear Act of 2011”.

**SEC. 02. FINDINGS.**

Congress finds the following:

(1) Average collected duties on imported footwear are among the highest of any product sector, totaling approximately \$2,000,000,000 during 2010.

(2) Duty rates on imported footwear are among the highest imposed by the United States Government, with some as high as the equivalent of 67.5 percent ad valorem.

(3) The duties currently imposed by the United States were set in an era during which high rates of duty were intended to protect production of footwear in the United States.

(4) Footwear produced in the United States supplies only about 1 percent of the total United States market for footwear. This production is concentrated in distinct product groupings, which are not affected by the provisions of this title.

(5) Footwear duties, which are higher on lower-price footwear, serve no purpose and are a hidden, regressive tax on those people in the United States least able to pay.

(6) Low- and moderate-income families spend a larger share of their disposable income on footwear than higher-income families.

(7) The outdoor industry develops innovative and high performance footwear that promotes healthy and active lifestyles through outdoor recreation.

**SEC. 03. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) there is no production in the United States of many footwear articles;

(2) the reduction or elimination of duties on such articles will not negatively affect manufacturing or employment in the United States; and

(3) the reduction or elimination of duties on such articles will result in reduced retail prices for a wide range of consumers.

**SEC. 04. AMENDMENT TO THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES.**

The Additional Notes to chapter 64 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

“5. For the purposes of determining the constituent material of the outer sole pursuant to Note 4(b) of this chapter, the constituent material of an outer sole consisting of rubber or plastics to which textile materials are attached or into which such materials are otherwise incorporated shall be deemed to be only rubber or plastics, and no account shall be taken of the textile materials.”.

**SEC. 05. TEMPORARY ELIMINATION OR REDUCTION OF DUTIES ON CERTAIN FOOTWEAR.**

(a) DEFINITIONS.—The U.S. Notes to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following:

“20. For the purposes of headings 9902.64.25 through 9902.64.58:

“(a) The term ‘footwear for men’ means footwear of American men’s size 6 and larger for males and does not include footwear commonly worn by both sexes.

“(b) The term ‘footwear for women’ means footwear of American women’s size 4 and larger, whether for females or of types commonly worn by both sexes.

“(c)(i) The term ‘work footwear’ means, in addition to footwear for men or footwear for women having a metal toe-cap, footwear for men or footwear for women that—

“(A) has outer soles of rubber or plastics;

“(B) is of a kind designed for use by persons employed in occupations such as those related to the agricultural, construction, industrial, public safety, or transportation sectors that are not normally worn as casual, dress, or similar lightweight footwear; and

“(C) has special features to protect against hazards in the workplace (such as resistance to chemicals, compression, grease, oil, penetration, slippage, or static-buildup).

“(ii) ‘Work footwear’ does not cover—

“(A) sports footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like;

“(B) footwear designed to be worn over other footwear;

“(C) footwear with open toes or open heels; or

“(D) footwear (except footwear covered by heading 6401) of the slip-on type or other footwear that is held to the foot without the use of laces or a combination of laces and hooks or other features.

“(d) The term house slippers means footwear of the slip-on type designed solely for casual indoor use. The term ‘house slippers’ includes—

“(i) footwear with outer soles not over 3.5 mm in thickness, consisting of cellular rubber, nongrain leather, or textile material;

“(ii) footwear with outer soles not over 2 mm in thickness consisting of polyvinyl chloride, whether or not backed; and

“(iii) footwear which, when measured at the ball of the foot, has sole components (including any inner and mid-soles) with a combined thickness not over 8 mm as measured from the outer surface of the uppermost sole component to the bottom surface of the outer sole and which, when measured in the same manner at the area of the heel, has a thickness equal to or less than that at the ball of the foot.

“(e) For purposes of subheadings 9902.64.28, 9902.64.32, and 9902.64.51, the dollar amount specified as the value of a good shall be as follows:

“(i) In calendar years 2011 through 2013, \$22/pair.

“(ii) In calendar years 2013 through 2016, \$24/pair.

“(f) The term waterproof footwear means footwear designed to protect against penetration by water or other liquids, whether or not such footwear is primarily designed for such purposes.”.

(b) AMENDMENTS TO HTS.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new headings:

“	9902.64.25	Vulcanized rubber lug boot bottoms for actual use in fishing waders (provided for in subheading 6401.92.90) .....	Free	No change	No change	On or before 12/31/2016
	9902.64.26	Sports footwear with outer soles and uppers of rubber or plastics (other than golf shoes), having uppers of which over 90 percent of the external surface area (including any accessories or reinforcements) is rubber or plastics (except footwear having foxing or a foxing-like band applied or molded at the sole and overlapping the upper); the foregoing not including footwear for women (provided for in subheading 6402.19.15) .....	Free	No change	No change	On or before 12/31/2016
	9902.64.27	Footwear (other than work footwear or footwear designed to be worn over or in lieu of other footwear as a protection against water, oil, grease or chemicals, or cold or inclement weather) with outer soles and uppers of rubber or plastics, covering the ankle, not incorporating a protective metal toe-cap, having uppers of which over 90 percent of the external surface area is rubber or plastics (provided for in subheading 6402.91.40) .....	Free	No change	No change	On or before 12/31/2016

9902.64.28	Footwear (other than vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles and uppers of rubber or plastics, valued over the dollar amount specified in U.S. Note 20(e) to this chapter, whose height from the bottom of the outer sole to the top of the upper does not exceed 20.32 cm if for men or women or does not exceed 17.78 cm if for persons other than men or women, designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather, and where such protection includes protection against water imparted by the use of a coated or laminated fabric (provided for in subheading 6402.91.50) .....	Free	No change	No change	On or before 12/31/2016
9902.64.29	Footwear (other than work footwear) with outer soles and uppers of rubber or plastics, covering the ankle, for men or women, such footwear which from the bottom of the outer sole to the top of the upper does not exceed 13 cm or which exceeds 21 cm, or regardless of height is slip-on footwear (provided for in subheading 6402.91.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.30	Tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.91.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.31	Footwear with outer soles and uppers of rubber or plastic, not covering the ankle, other than work footwear or house slippers (provided for in subheading 6402.99.31) .....	Free	No change	No change	On or before 12/31/2016
9902.64.32	Footwear (other than vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles and uppers of rubber or plastics, valued over the dollar amount specified in U.S. Note 20(e) of this chapter, designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather, and where such protection includes protection against water imparted by the use of a coated or laminated textile fabric (provided for in subheading 6402.99.33) .....	Free	No change	No change	On or before 12/31/2016
9902.64.33	Footwear with outer soles and uppers of rubber or plastics, other than house slippers (provided for in subheading 6402.99.40) .....	Free	No change	No change	On or before 12/31/2016
9902.64.34	Footwear with outer soles and uppers of rubber or plastics other than house slippers (provided for in subheading 6402.99.70) .....	Free	No change	No change	On or before 12/31/2016
9902.64.35	Footwear with outer soles and uppers of leather, covering the ankle, other than footwear for women (provided for in subheading 6403.51.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.36	Footwear for men, and footwear for youths and boys, covering the ankle, valued over \$12/pair, such footwear which from the bottom of the outer sole to the top of the upper does not exceed 13 cm or which exceeds 21 cm, or regardless of height is waterproof footwear, other than work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, and other than slip-on footwear (provided for in subheading 6403.91.60) .....	Free	No change	No change	On or before 12/31/2016
9902.64.37	Slip-on footwear for men and footwear for youths and boys covering the ankle; such footwear with sole components, including any mid-soles but excluding any inner soles, which when measured at the ball of the foot have a combined thickness less than 13.5 mm, the foregoing valued over \$20/pair (provided for in subheading 6403.91.60) .....	Free	No change	No change	On or before 12/31/2016
9902.64.38	Footwear for men, other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over \$12/pair (provided for in subheading 6403.91.60) .....	Free	No change	No change	On or before 12/31/2016
9902.64.39	Footwear for youth and boys other than tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.60) .....	Free	No change	No change	On or before 12/31/2016



9902.64.40	Footwear (other than footwear for men or footwear for youths and boys) covering the ankle, valued over \$12/pair, such footwear of a height which from the bottom of the outer sole to the top of the upper does not exceed 13 cm, or which exceeds 21 cm, or regardless of height, is waterproof footwear, or footwear where the difference in height between the bottom of the sole at the ball of the foot to the top of the midsole and from the bottom of the heel to the top of the midsole is over 30 mm, other than work footwear and other than slip-on footwear (provided for in subheading 6403.91.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.41	Slip-on footwear (other than footwear for men or footwear for youths or boys) covering the ankle; such footwear with a heel over 15 mm in height as measured from the bottom of the sole or sole components (including any mid-soles but excluding any inner soles) which when measured at the ball of the foot have a combined thickness less than 13.5 mm, the foregoing valued over \$20/pair (provided for in subheading 6403.91.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.42	Footwear for women other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over \$12/pair (provided for in subheading 6403.91.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.43	Footwear for persons other than women, other than slip-on footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.44	Tennis shoes, basketball shoes, gym shoes, training shoes and the like for youths and boys (provided for in subheading 6403.99.60) .....	Free	No change	No change	On or before 12/31/2016
9902.64.45	Footwear valued over \$2.50/pair (other than footwear for men, youths and boys, house slippers, work footwear and other than tennis shoes, basketball shoes, gym shoes, training shoes and the like) (provided for in subheading 6403.99.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.46	Sports footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.11.50, 6404.11.60, 6404.11.70 or 6404.11.80) .....	Free	No change	No change	On or before 12/31/2016
9902.64.47	Sports footwear (other than ski boots, cross country ski footwear and snowboard boots) for persons other than men or women (provided for in subheading 6404.11.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.48	Ski boots, cross country ski footwear and snowboard boots for men or women (provided for in subheading 6404.11.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.49	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, covering the ankle, for men and women (provided for in subheading 6404.11.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.50	Footwear with outer soles of rubber or plastics and uppers of textile materials, having uppers of which over 50 percent of the external surface area is leather (provided for in subheading 6404.19.15) .....	Free	No change	No change	On or before 12/31/2016
9902.64.51	Footwear (except vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles of rubber or plastics and uppers of textile materials, valued over the dollar amount specified in U.S. Note 20(e) to this chapter, whose height from the bottom of the outer sole to the top of the upper does not exceed 20.32 cm if for men or women, or does not exceed 17.78 cm if for persons other than men or women, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather and where such protection includes protection against water imparted by the use of a coated or laminated fabric (provided for in subheading 6404.19.20) .....	Free	No change	No change	On or before 12/31/2016
9902.64.52	Footwear for men with outer soles of rubber or plastics and uppers of vegetable fibers, other than house slippers (provided for in subheading 6404.19.25) .....	Free	No change	No change	On or before 12/31/2016
9902.64.53	Footwear with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.19.35) .....	Free	No change	No change	On or before 12/31/2016

9902.64.54	Footwear for women, with outer soles of rubber or plastics and uppers of textile materials other than house slippers (provided for in subheading 6404.19.50) .....	Free	No change	No change	On or before 12/31/2016
9902.64.55	Footwear with outer soles of rubber or plastics and uppers of textile materials (provided from subheading 6404.19.60, 6404.19.70, 6404.19.80, or 6404.19.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.56	Footwear with uppers of leather or composition leather for men (provided for in subheading 6405.10.00) .....	Free	No change	No change	On or before 12/31/2016
9902.64.57	Footwear with uppers of textile materials, other than with soles and uppers of wool felt (provided for in subheading 6405.20.90) .....	Free	No change	No change	On or before 12/31/2016
9902.64.58	Footwear not elsewhere provided for in chapter 64 (provided for in subheading 6405.90.90) .....	Free	No change	No change	On or before 12/31/2016.

**SEC. 06. EFFECTIVE DATE.**

This title and the amendments made by this title shall—

(1) take effect on the 15th day after the date of the enactment of this title; and

(2) apply to articles entered, or withdrawn from warehouse for consumption, on or after such day.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 20, 2011, at 9:30 a.m.

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

#### COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 20, 2011, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax Reform Options: Incentives for Innovation."

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

#### COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 20, 2011, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

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

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 20, 2011, at 2:30 p.m.

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

#### SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Com-

mittee on Banking, Housing, and Urban Affairs' Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on September 20, 2011, at 10 a.m., to conduct a hearing entitled "New Ideas to Address the Glut of Foreclosed Properties."

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

#### SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on September 20, 2011, at 9:30 a.m. in order to conduct a hearing entitled, "Intelligence Community Contractors: Are We Striking the Right Balance?"

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

### PRIVILEGES OF THE FLOOR

Mr. MENENDEZ. Mr. President, I ask unanimous consent that Andi Lipstein Fristedt, a detailee to the Senate HELP Committee, be granted floor privileges for the duration of Senate floor business today.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that the following members of the Finance Committee staff be granted floor privileges during consideration of the Generalized System of Preferences Act: Derrick Riggs, Chris Arneson, Miranda Dalpiaz, Nick Malinak, Cosimo Thawley, Tyler Evilsizer, Stephen McGraw, and Claire Green.

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

### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, after consultation with chair-

man of the Select Committee on Intelligence, and pursuant to provisions of Public Law 107-306, as amended by Public Law 111-259, announces the appointment of the Senator from Indiana, Mr. COATS, to serve as a member of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community.

### UNANIMOUS CONSENT AGREEMENT—H.R. 2832

Mr. REID. Mr. President, I ask unanimous consent that following morning business tomorrow, Wednesday, September 21, the Senate resume consideration of H.R. 2832, the general trade preference legislation; that following reporting of the bill, Senator MCCAIN or his designee be recognized to call up amendment No. 625; that the time until 12:30 be equally divided between the two leaders or their designees for debate on the McCain and Hatch amendments; further, at 12:30 the Senate proceed to votes in relation to the Hatch amendment No. 641 and McCain amendment No. 625, in that order; that there be 2 minutes equally divided prior to each vote, there be no amendments, points of order, or motions in order to either amendment prior to the votes on the amendment other than budget points of order and the applicable motions to waive; that each amendment be subject to a 60-affirmative-vote threshold.

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

### ORDERS FOR WEDNESDAY, SEPTEMBER 21, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, September 21; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, 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