

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 —MODIFICATION OF TONNAGE TAX**

**SEC. —. MODIFICATION OF THE APPLICATION OF THE TONNAGE TAX ON VESSELS OPERATING IN THE DUAL UNITED STATES DOMESTIC AND FOREIGN TRADES.**

(a) IN GENERAL.—Subsection (f) of section 1355 of the Internal Revenue Code of 1986 (relating to definitions and special rules) is amended to read as follows:

“(f) EFFECT OF OPERATING A QUALIFYING VESSEL IN THE DUAL UNITED STATES DOMESTIC AND FOREIGN TRADES.—For purposes of this subchapter—

“(1) an electing corporation shall be treated as continuing to use a qualifying vessel in the United States foreign trade during any period of use in the United States domestic trade, and

“(2) gross income from such United States domestic trade shall not be excluded under section 1357(a), but shall not be taken into account for purposes of section 1353(b)(1)(B) or for purposes of section 1356 in connection with the application of section 1357 or 1358.”.

(b) REGULATORY AUTHORITY FOR ALLOCATION OF CREDITS, INCOME, AND DEDUCTIONS.—Section 1358 of the Internal Revenue Code of 1986 (relating to allocation of credits, income, and deductions) is amended—

(1) by striking “in accordance with this subsection” in subsection (c) and inserting “to the extent provided in such regulations as may be prescribed by the Secretary”, and

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

“(d) REGULATIONS.—The Secretary shall prescribe regulations consistent with the provisions of this subchapter for the purpose of allocating gross income, deductions, and credits between or among qualifying shipping activities and other activities of a taxpayer.”.

(c) CONFORMING AMENDMENTS.—

(1) Section 1355(a)(4) of the Internal Revenue Code of 1986 is amended by striking “exclusively”.

(2) Section 1355(b)(1)(B) of such Code is amended by striking “as a qualifying vessel” and inserting “in the transportation of goods or passengers”.

(3) Section 1355 of such Code is amended—

(A) by striking subsection (g), and

(B) by redesignating subsection (h) as subsection (g).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 21, 2011, at 10 a.m. in room 406 of the Dirksen Senate Office Building.

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

**COMMITTEE ON FINANCE**

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 21, 2011 at 10 a.m., in room 215 of the Dirksen Senate Office

Building, to conduct a hearing entitled “Dually-Eligible Beneficiaries: Improving Care While Lowering Costs.”

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

**COMMITTEE ON FOREIGN RELATIONS**

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 21, at 10 a.m.

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

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 21, 2011, at 10 a.m.

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

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 21, 2011, at 2:30 p.m., to conduct a hearing entitled “Transforming Wartime Contracting: Recommendations of the Commission on Wartime Contracting.”

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

**COMMITTEE ON VETERANS' AFFAIRS**

Mr. CASEY. Mr. President, I ask unanimous consent that the committee on Veterans' Affairs be authorized to meet during the session of the Senate on September 21, 2011, in room SDG-50 in the Dirksen Senate Office Building beginning at 10 a.m.

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

**SUBCOMMITTEE ON ANTITRUST, COMPETITION, POLICY, AND CONSUMER RIGHTS**

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, on September 21, 2011, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Power of Google: Serving Consumers or Threatening Competition?”

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

**SUBCOMMITTEE ON CRIME AND TERRORISM**

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate, on September 21, 2011, at 11 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Countering Terrorist Financing: Progress and Priorities.”

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

**SUBCOMMITTEE ON NATIONAL PARKS**

Mr. CASEY. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be au-

thorized to meet during the session of the Senate on September 21, 2011, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

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

**PRIVILEGES OF THE FLOOR**

Mr. WYDEN. Mr. President, I ask unanimous consent that Joseph Scovitch and Danielle Dellerson, Finance Committee staff, be granted the privilege of the floor during consideration of the Generalized System of Preferences Act.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that John Cole, a fellow in the office of Senator PRYOR, be granted the privilege of the floor for the duration of the consideration of H.R. 2832, the Generalized System of Preferences Act.

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

**TAIWAN OBSERVER STATUS IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 115, S. Con. Res. 17.

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

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 17) expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

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

Mr. REID. Mr. President, I know of no further debate on this resolution.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on the adoption of the concurrent resolution.

The concurrent resolution (S. Con. Res. 17) was agreed to.

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

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

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. CON. RES. 17**

Whereas the Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, approved the establishment of the International Civil Aviation Organization (ICAO), stating “The aims and objectives of the Organization are to develop the principles and techniques of international

air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport”;

Whereas, following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that “a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system,” and that there should be a commitment to “foster international cooperation in the field of aviation security and harmonize the implementation of security measures”;

Whereas, the 37th ICAO Assembly in October 2010 adopted a Declaration on Aviation Security largely in response to the attempted sabotage of Northwest Airlines Flight 253 on December 25, 2009, which established new criminal penalties for the use of civil aircraft as a weapon, the use of dangerous materials to attack aircraft or other targets on the ground, and the unlawful transport of biological, chemical, and nuclear weapons and related materials, along with extradition arrangements that facilitate cooperation among nations in apprehending and prosecuting those who have undertaken these and other criminal acts;

Whereas, on October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of the Declaration on Aviation Security, but noted that “because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system”;

Whereas the Taipei Flight Information Region, under the jurisdiction of Taiwan, ROC, covers an airspace of 176,000 square nautical miles and provides air traffic control services to over 1,350,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 8th and 18th largest airport by international cargo volume and number of international passengers, respectively;

Whereas exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization’s regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO;

Whereas the United States, in the 1994 Taiwan Policy Review, clearly declared its support for the participation of Taiwan in appropriate international organizations, in particular, on September 27, 1994, with the announcement by the Assistant Secretary of State for East Asian and Pacific Affairs that, pursuant to the Review and recognizing Taiwan’s important role in transnational issues, the United States “will support its membership in organizations where statehood is not a prerequisite, and [the United States] will support opportunities for Taiwan’s voice to be heard in organizations where its membership is not possible”;

Whereas ICAO rules and existing practices have allowed for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities

through granting of observer status: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—*

(1) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the International Civil Aviation Organization (ICAO) will contribute both to the fulfillment of the ICAO’s overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation;

(2) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO for the purpose of such participation; and

(3) the Department of State should provide briefings to or consult with Congress on any efforts conducted by the United States Government in support of Taiwan’s attainment of observer status in the ICAO.

#### SMALL BUSINESS CONTRACTING FRAUD PREVENTION ACT OF 2011

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Small Business be discharged from further consideration of S. 633 and the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 633) to prevent fraud in small business contracting, and for other purposes.

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

Mrs. MURRAY. Mr. President, I rise today to address the Department of Veterans Affairs’ role in S. 633, the Small Business Contracting Fraud Prevention Act of 2011.

As introduced, S. 633 contains a provision that would require the Department of Veterans Affairs, through its Center for Veterans Enterprise, to verify the status of any small business seeking to be registered as a veteran-owned or service-disabled veteran-owned small business. S. 633 would also require the head of each Federal agency to confirm the status of any service-disabled veteran-owned small business before permitting that business to compete for Federal sole-source or set-aside contracts.

I agree that governmentwide verification of veteran-owned and service-disabled veteran-owned small business status is an important step towards fraud prevention. But we must ensure that enactment of S. 633 does not add to the backlog of veterans currently awaiting verification of their small businesses, and that veterans’ businesses are not unfairly delayed in their ability to compete for contracts.

I am pleased that Senators LANDRIEU and SNOWE have agreed to my amendment to S. 633. Under my amendment, the verification provisions in S. 633 would not take effect until the Department of Veterans Affairs first certifies it possesses the necessary resources and capacity to undertake the new requirements imposed by S. 633. This

means that the Department gets to set the timeline for implementing the provisions so that implementation is done right.

Mr. REID. Mr. President, I ask unanimous consent that the Murray amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

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

The amendment (No. 652) was agreed to, as follows:

(Purpose: To delay the effective date of the veterans contracting provisions)

On page 10, beginning on line 8, strike “Not later than 1 year after the date of enactment of this Act, the” and insert “The”.

On page 10, between lines 15 and 16, insert the following:

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (b) and the requirements under subsection (c) shall take effect on the date on which the Secretary of Veterans Affairs (referred to in this subsection as the “Secretary”) publishes in the Federal Register a determination that the Department of Veterans Affairs has the necessary resources and capacity to carry out the additional responsibility of determining whether small business concerns registered with the VetBiz database of the Department of Veterans Affairs are owned and controlled by a veteran or a service-disabled veteran, as the case may be, in accordance with subsection (g) of section 4 of the Small Business Act (15 U.S.C. 633), as added by subsection (b).

(2) TIMELINE.—If the Secretary determines that the Secretary is not able to publish the determination under paragraph (1) before the date that is 1 year after the date of enactment of this Act, the Secretary shall, not later than 1 year after the date of enactment of this Act, submit a report containing an estimate of the date on which the Secretary will publish the determination under paragraph (1) to the Committee on Small Business and Entrepreneurship and the Committee on Veterans’ Affairs of the Senate and the Committee on Small Business and the Committee on Veterans’ Affairs of the House of Representatives.

The bill (S. 633), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 633

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Contracting Fraud Prevention Act of 2011”.

#### SEC. 2. DEFINITIONS.

In this Act—

(1) the term “8(a) program” means the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(2) the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively;

(3) the terms “HUBZone” and “HUBZone small business concern” and “HUBZone map” have the meanings given those terms in section 3(p) of the Small Business Act (15 U.S.C. 632(p)), as amended by this Act; and

(4) the term “recertification” means a determination by the Administrator that a