

EC-3390. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Regulatory Amendment" (RIN0648-BA79) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3391. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2011 Summer Flounder, Scup, and Black Sea Bass Specifications; Correction" (RIN0648-XY82) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3392. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Clemson, SC" ((RIN2120-AA66) (Docket No. FAA-2011-0394)) received in the Office of the President of the Senate on September 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3393. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model EC120B Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0859)) received in the Office of the President of the Senate on September 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-3394. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Amendment of Parts 1, 73 and 76 of the Commission's Rules Regarding Practice and Procedure: Broadcast Applications and Proceedings; Radio Broadcast Services: Fairness Doctrine and Digital Broadcast Television Redistribution Control; Multichannel Video and Cable Television Service: Fairness Doctrine, Personal Attacks, Political Editorials and Complaints Regarding Cable Programming Service Rates" (DA 11-1432) received in the Office of the President of the Senate on September 22, 2011; to the Committee on Commerce, Science, and Transportation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HELLER (for himself, Mr. CORNYN, Mr. COBURN, and Mr. KYL):

S. 1622. A bill to recognize Jerusalem as the capital of Israel, to relocate to Jerusalem the United States Embassy in Israel, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. SCHUMER, and Mrs. SHAHEEN):

S. 1623. A bill to provide a processing extension for emergency mortgage relief payments, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN of Massachusetts (for himself and Mr. KERRY):

S. 1624. A bill to provide for the economical production of various United States coins; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCAIN:

S. 1625. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN of Ohio (for himself, Mr. THUNE, Mr. DURBIN, and Mr. LUGAR):

S. 1626. A bill to amend the Food, Conservation, and Energy Act of 2008 to reform agricultural programs by establishing the aggregate risk and revenue management program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida (for himself, Mr. SCHUMER, and Mr. REID):

S. 1627. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Finance.

By Mr. AKAKA (for himself, Mr. CARPER, Mr. CARDIN, and Mr. COONS):

S. 1628. A bill to provide for improvements in the Federal hiring process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND (for herself and Mr. GRAHAM):

S. 1629. A bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LANDRIEU (for herself and Mr. COCHRAN):

S. 1630. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow for a more effective recovery from disasters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself and Mr. BEGICH):

S. 1631. A bill to authorize the establishment in the Department of Veterans Affairs of a center for technical assistance for non-Department health care providers who furnish care to veterans in rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. LEAHY, and Mr. CARDIN):

S. 1632. A bill to amend the Internal Revenue Code of 1986 to provide a look back rule in the case of federally declared disasters for determining earned income for purposes of the child tax credit and the earned income credit, and for other purposes; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Mr. BURR, and Mr. MENENDEZ):

S. Res. 276. A resolution expressing support for the goals and ideals of National Infant Mortality Awareness Month of 2011; considered and agreed to.

By Mr. FRANKEN (for himself, Mr. LUGAR, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. CARDIN, Mrs. MURRAY, Mr. WARNER, and Mrs. FEINSTEIN):

S. Res. 277. A resolution recognizing the month of October 2011 as "National Principals Month"; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. CARDIN, Mr. INHOFE, Mr. WICKER, Mr. BROWN of Massachusetts, Mr. KERRY, Mr. SHELBY, Mr. CRAPO, Mr. JOHNSON of South Dakota, Mr. LEE, Mr. CHAMBLISS, Mr. AKAKA, Mrs. BOXER, Mr. KIRK, Mr. WYDEN, Mr. JOHANNES, and Mr. BLUNT):

S. Res. 278. A resolution designating September 2011 as "National Prostate Cancer Awareness Month"; considered and agreed to.

By Mrs. GILLIBRAND (for herself and Ms. AYOTTE):

S. Res. 279. A resolution expressing support for the designation of September 24, 2011, as "Worldwide Day of Play"; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. UDALL of New Mexico, Mr. UDALL of Colorado, Mr. BEGICH, Mr. REED, Mrs. MURRAY, Mrs. BOXER, Mr. BINGAMAN, Mr. NELSON of Florida, Mr. COONS, Mrs. GILLIBRAND, and Mrs. HUTCHISON):

S. Res. 280. A resolution designating the week beginning September 19, 2011, as "National Hispanic-Serving Institutions Week" and recognizing the achievements of the Hispanic Association of Colleges and Universities; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mr. BROWN of Massachusetts, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. KERRY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Ms. SNOWE, Mr. WARNER, Mr. WEBB, and Mr. WYDEN):

S. Res. 281. A resolution designating September 24, 2011, as "National Estuaries Day"; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 282. A resolution to authorize testimony in *Kanelos v. County of Mohave, et al.* and *Zanna, et al. v. Mohave County, et al.*; considered and agreed to.

By Mr. NELSON of Florida (for himself, Ms. STABENOW, Mr. BROWN of Ohio, Mrs. HUTCHISON, Mr. VITTER, Mr. AKAKA, Mr. PRYOR, Mr. LIEBERMAN, and Mr. DURBIN):

S. Con. Res. 29. A concurrent resolution authorizing the use of the rotunda of the United States Capitol for an event to present the Congressional Gold Medal, collectively, to Neil A. Armstrong, Edwin E. "Buzz" Aldrin, Jr., Michael Collins, and John Herschel Glenn, Jr., in recognition of their significant contributions to society; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 170

At the request of Mrs. BOXER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 170, a bill to provide for the affordable refinancing of mortgages held by Fannie Mae and Freddie Mac.

S. 431

At the request of Mr. PRYOR, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 968

At the request of Mr. LEAHY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 968, a bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1025

At the request of Mr. LEAHY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109-416).

S. 1133

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1133, a bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes.

S. 1203

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1203, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home infusion therapy under the Medicare Program.

S. 1211

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1211, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 1280

At the request of Mr. ISAKSON, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault

protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1369

At the request of Mr. CRAPO, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1369, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1392

At the request of Ms. COLLINS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1392, a bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

S. 1421

At the request of Mr. PORTMAN, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Oregon (Mr. WYDEN), the Senator from Hawaii (Mr. AKAKA) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1421, a bill to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 1551

At the request of Mr. KIRK, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 1551, a bill to establish a smart card pilot program under the Medicare program.

S. 1584

At the request of Mr. BENNET, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1584, a bill to provide for additional quality control of drugs.

S. 1585

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1585, a bill to prohibit the application of certain restrictive eligibility requirements to foreign non-governmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 1588

At the request of Mr. WEBB, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. 1588, a bill to protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes.

S. 1595

At the request of Mr. HATCH, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Utah (Mr.

LEE) were added as cosponsors of S. 1595, a bill to prohibit funding for the United Nations in the event the United Nations grants Palestine a change in status from a permanent observer entity before a comprehensive peace agreement has been reached with Israel.

S. 1597

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1597, a bill to provide assistance for the modernization, renovation, and repair of elementary school and secondary school buildings in public school districts and community colleges across the United States in order to support the achievement of improved educational outcomes in those schools, and for other purposes.

S. 1606

At the request of Mr. PORTMAN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1606, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents.

S. 1616

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1616, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. RES. 232

At the request of Mr. JOHANNES, his name was added as a cosponsor of S. Res. 232, a resolution recognizing the continued persecution of Falun Gong practitioners in China on the 12th anniversary of the campaign by the Chinese Communist Party to suppress the Falun Gong movement, recognizing the Tuidang movement whereby Chinese citizens renounce their ties to the Chinese Communist Party and its affiliates, and calling for an immediate end to the campaign to persecute Falun Gong practitioners.

S. RES. 241

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 241, a resolution expressing support for the designation of November 16, 2011, as National Information and Referral Services Day.

S. RES. 251

At the request of Mr. CARPER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 251, a resolution expressing support for improvement in the collection, processing, and consumption of recyclable materials throughout the United States.

S. RES. 253

At the request of Mr. HOEVEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 253, a resolution designating

October 26, 2011, as “Day of the Deployed”.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. MCCAIN:

S. 1625. A bill to restore the financial solvency of the United States Postal Service and to ensure the efficient and affordable nationwide delivery of mail; to the Committee on Homeland Security and Governmental Affairs.

Mr. MCCAIN. Mr. President, today I rise to introduce the Postal Reform Act of 2011, which will restore the financial health and long-term viability of the United States Postal Service, USPS. This bill is the companion to the bill Representative ISSA introduced in the House of Representatives in June of this year. I would like to thank him for his leadership on this important issue.

According to the USPS, by 2020, they are expecting to face up to a \$238 billion shortfall. Even with dramatic cost savings of \$12 billion and workforce reduction of 110,000 postal employees in the past four years, the Postal Service is expected to end this fiscal year with a \$10 billion loss.

First-Class mail, which makes up more than half of the Postal Service revenues, continues to fall at alarming rates and shows no signs of ever recovering. This combined with 80 percent labor costs and labor contracts that contain “no-layoff” clauses points to the fact that the Postal Service is broken.

Congress can no longer enact temporary fixes that avert financial crisis for only a brief period. Congress, the Postal Service, labor unions, and the mailing community must be willing to lay everything on the table and make hard choices now to save the Postal Service for the future. I believe the Postal Reform Act of 2011 will do just that.

Two key provisions in this bill alone would save the Postal Service billions of dollars annually. First, the bill would create a Postal Service Financial Responsibility and Management Assistance Authority, which is modeled after the District of Columbia control board Congress created to address the fiscal crises the city was facing in the mid 1990s. This authority, triggered by a USPS default on its Federal obligations, would replace the Postal Board of Governors with mandates to cut costs, and put the USPS back on the path to financial solvency.

The second key provision would create a Commission on Postal Reorganization that would use a BRAC like process to consolidate and close post offices and mail processing facilities. According to the Postal Service the “current mail processing network has a capacity of over 250 billion pieces of mail per year when mail volume is now 160 billion pieces of mail. Right-sizing the network is vital to the future of the Postal Service and its customers.”

Congress, however, continues to put up political road blocks that prevent these closings and consolidations. This proposal will take the politics out of the process and allow the USPS to right-size its operations.

Other provisions in the bill would require arbitrators to take into account the financial health of the Postal Service if labor contracts move to arbitration. It would also exempt USPS from the Davis-Bacon Act, the Service Contract Act, and other wage rules that increase USPS contracting costs.

The bill would require certain types of mail that Postal Service loses money on to cover their cost. In Fiscal year 2010, USPS lost nearly \$1.7 billion on these type of “underwater” postal products that failed to cover their costs. For example, the Periodicals class of mail, which includes newspapers and magazines, has not covered its costs for 14 consecutive years, generating total losses of \$4.3 billion over that period.

The bill also contains common sense language that would mandate that USPS employees pay the same health and life insurance premium percentage as other Federal workers. This is estimated to save the Postal Service \$700 million annually.

Finally, this bill will allow the Postal Service to move to 5-day delivery, at a savings of anywhere from \$1.7 to \$3.1 billion annually.

We can no longer choose to support temporary fixes to the Postal Service. If we continue to act in this irresponsible way, the American taxpayer will be the one that ultimately suffers in the form of higher postage prices and taxpayer bailouts. We must make hard choices now so future generations of Americans will have a viable Postal Service.

By Mr. AKAKA (for himself, Mr. CARPER, Mr. CARDIN, and Mr. COONS):

S. 1628. A bill to provide for improvements in the Federal hiring process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today, along with Senators CARPER, CARDIN, and COONS, I am introducing the Federal Hiring Process Improvement Act of 2011. This bill will help agencies fix the broken recruitment and hiring process in the Federal Government. I am pleased that Representative SARBANES is also introducing a companion bill in the House today and I thank him for his work and his commitment to the Federal workforce.

Every day, talented people interested in working for their government are turned away from Federal service because of the frustrating and antiquated hiring process. Too many Federal agencies have built barriers for new workers, done too little to recruit the right candidates, and invented an evaluation process that discourages qualified candidates.

In the past, many agencies have tried to find exceptions to the competitive hiring process, rather than making sure the competitive process works. The competitive hiring process should be our most effective tool to ensure that the Federal workforce is composed of the most qualified and able individuals, who are appointed through a fair and open process that is free from political interference. As agencies face budget reductions and restricted hiring, it is critical that they are able to attract top-notch candidates who are up to the challenge of meeting agency missions with limited resources. We must strengthen the competitive hiring process so that agencies do not look for ways to avoid it.

As Chairman of the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, I have held multiple hearings on the hiring process and worked closely with the administration on its reform efforts. While the administration has been making some good progress, we still hear stories of talented individuals who seek employment with the Federal Government, only to grow frustrated with the archaic hiring process and find work elsewhere.

Applying for a job in the Federal Government should be accessible and straightforward. Agencies still require too much information upfront from candidates instead of an approach that requires more information as the employee moves through the process. The Federal Hiring Process Improvement Act will require agencies to streamline their hiring practices. Agencies will be required to stop using the dreaded “knowledge, skills, and ability” essays and accept resumes and cover letters, as is standard in the private sector. Additionally, the bill requires job postings to be written in plain writing, so that candidates can readily understand what the job is and how to apply, and candidates would be notified of their status at key points in the process. Agencies will have to speed their hiring processes to average no more than 80 days.

Agencies need to continuously reassess their needs and strategies in order to maximize their recruitment and hiring efforts. This bill requires agencies to develop strategic workforce plans that include hiring projections and identify critical skills gaps. It also requires agencies to measure the effectiveness of hiring efforts and reforms.

The Federal Government is the largest employer in the United States, and Federal service is a noble profession. Within the next 5 years, the Federal Government is expected to face one of the largest retirement waves in the Nation’s history, making the development of a new generation of workers even more vital. Agency leadership must make reforming the recruitment and hiring process a top priority. I urge my colleagues to support this important bill.