

(Mr. ALEXANDER) was added as a cosponsor of S. 1676, a bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

S. 1692

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1692, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, to provide full funding for the Payments in Lieu of Taxes program, and for other purposes.

S. 1701

At the request of Ms. SNOWE, the names of the Senator from Maine (Ms. COLLINS), the Senator from Washington (Ms. CANTWELL) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1701, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 1707

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1707, a bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

S. 1717

At the request of Mr. BEGICH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1717, a bill to prevent the escapement of genetically altered salmon in the United States, and for other purposes.

S. 1769

At the request of Mr. REID, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1769, a bill to put workers back on the job while rebuilding and modernizing America.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself, Mr. WICKER, and Mrs. FEINSTEIN):

S. 1776. A bill to amend title 10, United States Code, to expand the Operation Hero Miles program to include the authority to accept the donation of travel benefits in the form of hotel points or awards for free or reduced-cost accommodations; to the Committee on Armed Services.

Mr. CARDIN. Mr. President, I rise today to introduce the Hotels for Heroes Act. Next week is Veterans Day and we owe it to our military men and women to support them every day but especially in their time of need. Today, military families are facing enormous challenges, not just emotionally, but financially. The legislation I am introducing will help more families to be with their loved ones as they recover from injuries and illnesses sustained

defending our country and our way of life.

This bill expands on the popular Hero Miles program created in 2003 by my Maryland delegation colleague, Congressman DUTCH RUPPERSBERGER. The Hero Miles program authorizes the Department of Defense to accept donated frequent traveler miles to provide free round-trip airfare to military members recovering at military or Veterans Administration, VA, medical centers as a result of injuries sustained in overseas conflicts. The program also enables family and friends to visit injured troops while they are being treated. The Fisher House Foundation administers the program. The Foundation is a non-profit best known for its network of comfort homes built on the grounds of major military and VA medical centers.

The bill that I am introducing today would expand the program to allow the Department of Defense to accept the donation of hotel points in addition to airline miles. Congressman RUPPERSBERGER has introduced a companion bill in the House of Representatives. Here in the Senate, I am proud to have bipartisan support for this bill: Senator WICKER is the lead co-sponsor. The Fisher House Foundation, the USO, and the Military Child Education Coalition all support the legislation.

Donating unused frequent flyer airline miles and hotel points is a wonderful and easy way for Americans to express their appreciation for our brave men and women in uniform and their families. The Senate is not renowned for acting expeditiously, but one nice way to help pay tribute to our veterans and active duty servicemen and women would be to pass the Hotels for Heroes Act as soon as possible. I urge all my colleagues to join me in supporting this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1776

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

#### SECTION 1. EXPANSION OF OPERATION HERO MILES.

(a) EXPANDED DEFINITION OF TRAVEL BENEFIT.—Subsection (b) of section 2613 of title 10, United States Code, is amended to read as follows:

“(b) TRAVEL BENEFIT DEFINED.—In this section, the term ‘travel benefit’ means—

“(1) frequent traveler miles, credits for tickets, or tickets for air or surface transportation issued by an air carrier or a surface carrier, respectively, that serves the public; and

“(2) points or awards for free or reduced-cost accommodations issued by an inn, hotel, or other commercial establishment that provides lodging to transient guests.”.

(b) CONDITION ON AUTHORITY TO ACCEPT DONATION.—Subsection (c) of such section is amended—

(1) by striking “the air or surface carrier” and inserting “the business entity referred to in subsection (b)”;

(2) by striking “the surface carrier” and inserting “the business entity”; and

(3) by striking “the carrier” and inserting “the business entity”.

(c) USE.—Subsection (d) of such section is amended—

(1) by striking “or” at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(3) providing humanitarian support to members and eligible beneficiaries receiving care through the military health care system; and

“(4) providing support to allow participation of members and their families in Department of Defense sponsored and authorized programs.”.

(d) ADMINISTRATION.—Subsection (e)(3) of such section is amended by striking “the air carrier or surface carrier” and inserting “the business entity referred to in subsection (b)”.

(e) STYLISTIC AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

“§2613. Acceptance of frequent traveler miles, credits, points, and tickets: use to facilitate rest and recuperation travel of deployed members and their families, support members and other beneficiaries of the military health care system, and support participation in authorized programs”.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 155 of such title is amended by striking the item relating to section 2613 and inserting the following new item:

“2613. Acceptance of frequent traveler miles, credits, points, and tickets: use to facilitate rest and recuperation travel of deployed members and their families, support members and other beneficiaries of the military health care system, and support participation in authorized programs.”.

By Mr. UDALL of New Mexico (for himself, Mr. BENNET, Mr. HARKIN, Mr. DURBIN, Mr. SCHUMER, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. BEGICH, and Mrs. SHAHEEN):

S.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

Mr. UDALL of New Mexico. Mr. President, I rise today to introduce an amendment to the United States Constitution to address our country's broken campaign finance system. Joining me in this effort are my colleagues Senators BENNET, HARKIN, DURBIN, SCHUMER, MERKLEY, WHITEHOUSE, BEGICH, and SHAHEEN.

As we head into another election year, we are about to see unprecedented amounts of money spent on efforts to influence the outcome of our elections. With the Supreme Court striking down the sensible regulations Congress has passed, I believe the only way to address the root cause of this problem is by first amending the Constitution.

Such an amendment is not a new idea. Constitutional amendments to

grant Congress broad authority to regulate the campaign finance system have been introduced many times in the past, and most had bipartisan support. But last year's Supreme Court decision in *Citizens United v. FEC* places a new emphasis on the need for Congress to act.

*Citizens United* was a victory for special interests at the expense of the average American. It held that corporations deserve the same free speech protections as individual Americans, enabling them to spend freely from their corporate treasuries on campaign advertising. It also gave rise to so-called Super PACs, which can raise and spend unlimited funds to campaign for or against candidates.

We saw in the last election the initial impact of the *Citizens United* decision, but it is about to get much worse. A New York Times editorial on September 18 summed it up pretty well.

That piece, entitled "How the Big Money Finds a Way In," stated that:

Companies, unions, and other interest groups poured about \$300 million into campaign ads in the 2010 Congressional elections after the Supreme Court's *Citizens United* decision open the sluices to unlimited spending by independent groups. That will look like a trickle compared with the gusher coming in 2012.

While the *Citizens United* decision sparked a renewed focus on the need for campaign finance reform, the Court laid the groundwork for a broken system many years ago. In 1976, when the Court held in *Buckley v. Valeo* that restricting independent campaign expenditures violates the First Amendment right to free speech, it established the flawed precedent that money and speech are the same thing. Since then, our Nation's policymakers are all too often elected based on their ability to raise money or the size of their personal fortunes, rather than the quality of their ideas or dedication to public service.

These decisions, among others, demonstrate the Court's willingness to rule broadly and ignore longstanding precedent to declare our campaign finance laws unconstitutional. Because of this, I believe that the only way to truly fix the problem is to first amend the Constitution to grant Congress clear authority to regulate the campaign finance system.

Our proposed amendment is similar to bipartisan proposals in previous Congresses. It would authorize Congress to regulate the raising and spending of money for federal political campaigns, including independent expenditures, and allow states to regulate such spending at their level. It would not dictate any specific policies or regulations. Instead, it would allow Congress to pass campaign finance reform legislation that withstands constitutional challenges.

I understand how difficult amending the constitution can be, but also believe that momentum is growing to reign in the out of control campaign

spending. Just because getting a constitutional amendment through Congress and ratified by the States is extremely difficult, it doesn't mean we shouldn't try. We know our Founders did not intend for elections to be bought and paid for by undisclosed donors operating through secretive organizations—that is the antithesis of democracy and we must do everything possible to address the problem.

The only way to restore the democratic nature of our election system is to fundamentally change it. That can only be done after the Constitution is amended to allow such changes. Many of my predecessors understood this and spent years championing the cause. Senator Fritz Hollings introduced bipartisan constitutional amendments similar to the one we introduce today in every Congress from the 99th to the 108th. Senators SCHUMER and COCHRAN introduced one in the 109th Congress.

Those were all before the *Citizens United* decision, but Senator Hollings has continued to call for an amendment since his retirement. Just last October, he wrote a piece for *The Huffington Post* titled "Money is a Cancer in Politics." In that article he wrote:

Like a dog chasing its tail, Congress has tried for thirty-five years to control spending in federal elections, only to be thwarted by the Supreme Court intent on equating speech with money. To return to Madison's freedom of speech, Congress needs to pass a Joint Resolution amending the Constitution to authorize Congress to limit or control spending in federal elections.

Our constituents' faith in the election system has been fundamentally corrupted by big money from outside interest groups. It is time for Congress to take back control of the campaign finance system by passing a constitutional amendment that will allow real reform.

Mr. President, I ask unanimous consent that the text of the joint resolution and an article be printed in the RECORD.

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

S.J. RES. 29

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission by the Congress:

"ARTICLE—

"SECTION 1. Congress shall have power to regulate the raising and spending of money and in kind equivalents with respect to Federal elections, including through setting limits on—

"(1) the amount of contributions to candidates for nomination for election to, or for election to, Federal office; and

"(2) the amount of expenditures that may be made by, in support of, or in opposition to such candidates.

"SECTION 2. A State shall have power to regulate the raising and spending of money

and in kind equivalents with respect to State elections, including through setting limits on—

"(1) the amount of contributions to candidates for nomination for election to, or for election to, State office; and

"(2) the amount of expenditures that may be made by, in support of, or in opposition to such candidates.

"SECTION 3. Congress shall have power to implement and enforce this article by appropriate legislation."

[From the New York Times, Sept. 17, 2011]

HOW THE BIG MONEY FINDS A WAY IN

(By Eduardo Porter)

Companies, unions and other interest groups poured about \$300 million into campaign ads in the 2010 Congressional elections after the Supreme Court's *Citizens United* decision opened the sluices to unlimited spending by independent groups. That will look like a trickle compared with the gusher coming in 2012.

Gov. Rick Perry's supporters have created a group called Make Us Great Again, which plans to spend up to \$55 million to help him win the Republican presidential nomination. Unions and other supporters of Democrats, too, are starting to funnel money into independent groups like Priorities USA Action, which has raised \$3.2 million for the presidential race and plans to raise much more.

These groups, which are not supposed to coordinate with candidates' campaigns or the political parties, are called Super PACs, but the label doesn't much matter. The point is that in the past several years outside groups—using various types of financing vehicles—have accounted for a growing share of the money spent in federal elections.

The first chart shows the steady rise in total spending in federal elections in both presidential and nonpresidential years over the last decade. Over that time, money spent by outside groups jumped to 8 percent of the total from less than 1 percent, while party spending declined as a share.

The second chart shows how spending by independent groups has morphed with each new campaign finance law and judicial ruling. What's constant is the ability of fundraisers to put more cash into elections. The 2002 McCain-Feingold law put an end to the unlimited "soft money" donations by corporations, unions and wealthy individuals to party committees, which used it to pay for "issue" ads that often attacked or supported candidates. When soft money went away, donors simply channeled money for such ads to other vehicles, including 527 committees, like Swift Boat Veterans for Truth.

In 2007, the Supreme Court blew aside spending restrictions (weak as they were) by ruling that corporations, unions and other groups could spend unlimited amounts up to Election Day on "issue" ads that mentioned a candidate's name, as long as they did not explicitly urge a "vote for" or "vote against" a candidate. Soon after that, 501(c) groups (like trade associations, unions and social welfare advocacy groups) became the vehicle of choice; unlike other types of groups, they are allowed to collect unlimited anonymous donations.

The *Citizens United* decision eliminated the biggest remaining restriction by allowing independent groups to pay for campaign ads that explicitly endorsed or opposed a candidate. Big donors responded in the 2010 election by launching Super PACs like American Crossroads, which raised \$26.6 million to help Republicans, and America's Families First Action Fund, which raised \$7.1 million to help Democrats. And they created 501(c) "social advocacy" groups like Crossroads GPS to offer secrecy to campaign donors.

The legal changes of the last decade have contributed to the flood of money in the political process. Corporate campaign donations through 501(c)s and Super PACs hit around \$140 million in 2010 from zero in 2006, according to estimates by the Center for Responsive Politics. For interest groups and wealthy individuals, the shifts have meant more direct influence in elections. For American democracy, the effect may well be disastrous.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 308—DESIGNATING NOVEMBER 27, 2011, AS “DRIVE SAFER SUNDAY”

Mr. ISAKSON (for himself, Mr. PRYOR, and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 308

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas every individual traveling on the roads and highways needs to drive in a safer manner to reduce deaths and injuries that result from motor vehicle accidents;

Whereas according to the National Highway Traffic Safety Administration, wearing a seat belt saves more than 15,000 lives each year;

Whereas the Senate wants all people of the United States to understand the life-saving importance of wearing a seat belt and encourages motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to be focused on safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely on the Sunday after Thanksgiving, and to publicize the importance of the day through use of Citizen's Band (“CB”) radios and truck stops across the Nation;

(C) clergy to remind their members to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safely, particularly on the Sunday after Thanksgiving; and

(E) all people of the United States to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 27, 2011, as “Drive Safer Sunday”.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 921. Mr. DURBIN proposed an amendment to the bill H.R. 2112, making consolidated appropriations for the Departments of Agriculture, Commerce, Justice, Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2012, and for other purposes.

### TEXT OF AMENDMENTS

SA 921. Mr. DURBIN proposed an amendment to the bill H.R. 2112, making consolidated appropriations for the Departments of Agriculture, Commerce, Justice, Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2012, and for other purposes; as follows:

Amend the title to read:

“An act making consolidated appropriations for the Departments of Agriculture, Commerce, Justice, Transportation, and Housing and Urban Development, and related programs for the fiscal year ending September 30, 2012, and for other purposes.”

### NOTICES OF HEARINGS

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, November 8, 2011, at 10 a.m. in SD-106 to conduct a hearing entitled “Beyond NCLB: Views on the Elementary and Secondary Education Reauthorization Act.”

For further information regarding this hearing, please contact the committee staff on (202) 224-5501.

#### COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, November 10, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a legislative hearing on S. 1192, Alaska Safe Families and Villages Act of 2011; S. 872, a bill to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is considered to be held in trust and to provide for the conduct of certain activities on the land; and S. 1763, the Stand Against Violence and Empower Native Women Act (SAVE Native Women Act).

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

#### COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, November 17, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “The Future of Internet Gaming: What’s at Stake for Tribes?”

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

### AUTHORITY FOR COMMITTEES TO MEET

#### SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. KOHL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate, on November 1, 2011, at 2:15 p.m., to

hold an African Affairs subcommittee hearing entitled “China’s Role in Africa: Implications for U.S. Policy.”

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

#### SUBCOMMITTEE ON CHINA AND TERRORISM

Mr. KOHL. Mr. President, I ask unanimous consent that the Committee on Judiciary, Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate, on November 1, 2011, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Combating International Organized Crime: Evaluating Current Authorities, Tools, and Resources.”

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

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

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

### REBUILD AMERICA JOBS ACT—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 213, S. 1769.

The PRESIDING OFFICER. Without objection, the clerk will report the bill by title.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to S. 1769, a bill to put workers back on the job while rebuilding and modernizing America.

#### CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 213, S. 1769, a bill to put workers back on the job while rebuilding and modernizing America.

Harry Reid, Amy Klobuchar, Jeff Bingaman, Bernard Sanders, Tom Udall, Daniel K. Akaka, Jon Tester, Christopher A. Coons, Mark R. Warner, Michael F. Bennet, Kent Conrad, Sheldon Whitehouse, Sherrod Brown, Claire McCaskill, Mark Begich, Ron Wyden, Benjamin L. Cardin, Frank R. Lautenberg

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. REID. Mr. President, I am hopeful that we will not have to have a vote on this matter. This is to protect us so if we cannot work out something we will have a vote Thursday morning. I hope we can work out something to have a vote on this most important measure. It is very important. This is a piece of legislation that the entire population of America supports by a ratio of some 76 percent. Republicans support it; Democrats support it; Independents support it. The only people in