

[Rollcall Vote No. 173 Ex.]

## YEAS—94

Akaka	Graham	Murkowski
Alexander	Grassley	Murray
Ayotte	Hagan	Nelson (NE)
Barrasso	Harkin	Nelson (FL)
Baucus	Hatch	Paul
Begich	Heller	Portman
Bennet	Hoeven	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inhofe	Reid
Blunt	Inouye	Risch
Boozman	Isakson	Roberts
Boxer	Johanns	Rockefeller
Brown (MA)	Johnson (SD)	Rubio
Brown (OH)	Johnson (WI)	Schumer
Cantwell	Kerry	Sessions
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Kyl	Snowe
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Levin	Toomey
Conrad	Lieberman	Udall (CO)
Coons	Lugar	Udall (NM)
Corker	Manchin	Vitter
Cornyn	McCain	Warner
Crapo	McCaskey	Webb
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden
Franken	Mikulski	
Gillibrand	Moran	

## NAYS—2

DeMint Lee

## NOT VOTING—4

Burr Kirk  
Chambliss Sanders

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

## SMALL BUSINESS JOBS AND TAX RELIEF ACT—MOTION TO PROCEED Continued

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes of debate equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oregon.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

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

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. 341, S. 2237, the Small Business Jobs and Tax Relief Act.

Harry Reid, Kent Conrad, Tom Harkin, Richard Blumenthal, Jeff Bingaman, Carl Levin, Al Franken, Daniel K. Inouye, Richard J. Durbin, Benjamin L. Cardin, Max Baucus, Charles E. Schumer, Jeff Merkley, Patty Murray, John D. Rockefeller IV, John F. Kerry.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2237, a bill to provide temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Illinois (Mr. KIRK), the Senator from Utah (Mr. LEE), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 80, nays 14, as follows:

[Rollcall Vote No. 174 Leg.]

## YEAS—80

Akaka	Franken	Moran
Alexander	Gillibrand	Murkowski
Barrasso	Grassley	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bennet	Hatch	Paul
Bingaman	Heller	Portman
Blumenthal	Hoeven	Pryor
Blunt	Hutchison	Reed
Boozman	Inouye	Reid
Boxer	Isakson	Roberts
Brown (MA)	Johnson (SD)	Rubio
Brown (OH)	Kerry	Sanders
Burr	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Carper	Kyl	Snowe
Casey	Landrieu	Stabenow
Coats	Lautenberg	Tester
Coburn	Leahy	Thune
Cochran	Levin	Toomey
Collins	Lieberman	Udall (CO)
Conrad	Lugar	Udall (NM)
Coons	McCaskey	Warner
Corker	McConnell	Webb
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wyden
Feinstein	Mikulski	

## NAYS—14

Ayotte	Inhofe	Risch
Cornyn	Johanns	Sessions
Crapo	Johnson (WI)	Shelby
DeMint	Manchin	Wicker
Graham	McCain	

## NOT VOTING—6

Cardin	Kirk	Rockefeller
Chambliss	Lee	Vitter

The PRESIDING OFFICER. On this vote, the yeas are 80, the nays are 14. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, today we begin debate on a bill called the Small Business Jobs and Tax Relief Act. There are some positive elements to this legislation, but I remain amazed that the Democratic majority has decided to pursue this bill to support small businesses when looming tax increases threaten to crush these very same small businesses.

Rather than address the expiration of the 2001 and 2003 tax relief, which is denying certainty to small businesses and holding back hiring and economic development, we are discussing this legislation. The President and his allies who are pursuing this legislation are patting themselves on the back for supporting small businesses, but puffing their chest as the saviors of America's job creators while doing nothing to address the coming fiscal cliff is like a person asking for the keys to the city after throwing a water balloon at a house fire.

Our small businesses and our economy face an existential threat with the coming tax hikes. Not only have Senate Democrats done nothing to bring some certainty to this situation, but President Obama actively undermined these businesses with his White House campaign event yesterday, during which he expressed his commitment to raising taxes on these small businesses.

So as we debate this bill, we need to keep that backdrop in mind. As the President proposes with this bill to give with one hand to small businesses, with the other hand he is prepared to sock those same people in the jaw. Small businesses are just one facet of our economy that will be hit with the largest tax increase in history if Congress and the President fail to act before January 1, 2013. But given that small businesses are the engine of job creation in our economy, the impact of these tax increases will reach far and wide, undermining economic growth and hampering innovation and job creation. Taxpayers are on the edge of a fiscal cliff. Yet instead of leading them to safety, the President's campaign is telling us to march forward.

The consequences will crush American taxpayers. In February, the Washington Post referred to this \$4.5 trillion tax hike as "taxmageddon." Federal Reserve Chairman Ben Bernanke described it as a "massive fiscal cliff" when testifying before Congress. If

these tax hikes are allowed to occur, it will raise taxes on virtually all flowthrough business income in the United States come January 1, 2013.

This is especially harmful to small businesses because the vast majority of small businesses are organized as flowthrough business entities such as partnerships, S corporations, limited liability companies, and sole proprietorships.

So unless the Congress acts to prevent these massive tax increases, the vast majority of small businesses in the United States will be hit with a massive tax increase next year. It is hard to conceive of a greater impediment to job creation. All of these tax increases and the economic uncertainty they cause are going into the investment and hiring decisions of business men and women today.

Even President Obama agrees that two-thirds of the new jobs in our economy are created by small businesses. I do not know anybody who disagrees with that. With unemployment stuck at an unacceptably high level of 8.2 percent, we must not allow this tax increase to happen. America is slowly recovering from one of the greatest recessions in modern history. The Vice President rightly said that for millions of Americans it feels as if they are living through a depression. Paul Krugman recently stated we are in a depression.

I just finished reading Robert Caro's recent book on Lyndon Johnson. He discusses in that book the tax cuts of President Kennedy and how important they were and how Lyndon Johnson handled it after the horrific death of our President.

(Mr. FRANKEN assumed the chair.)

Those tax cuts solved a lot of problems. One of the things, if I recall it correctly, President Johnson said was that without them we would not have been able to pull out of the difficulties we were in.

Yet with a fragile recovery and a weak jobs market, President Obama seems content to sit idly by and allow this scheduled \$4.5 trillion tax hike to occur.

I believe Congress needs to act now in order to prevent this tax hike on America's families and job creators.

As we can see on this chart, we have the tax legislation to-do list. It is critically important for our economy and the American people that we act now to extend the tax relief signed into law by President Bush and extended by President Obama.

Notice we did have hearings on tax extenders and we did have hearings on the fourth item on the chart to prevent the 2013 tax hikes, but we have had neither a markup or a floor presentation on any of those four—tax extenders, the AMT patch, death tax reform, and preventing the 2013 tax hikes.

The 2013 tax hikes is the most crucial piece of legislation Congress must address this year, if not during the entire 112th Congress. If we allow this tax re-

lief to expire as scheduled at the end of the year, almost every Federal income taxpayer in America will see an increase in their rates. Some will see a rate increase of 9 percent, while others will see a rate increase of 87 percent.

Because the vast majority of small businesses are flowthrough business entities, such as partnerships, the income from these businesses flows through the business directly onto the small business owners' individual tax returns. Therefore, any increase in individuals' tax rates means those small businesses get hit with a tax increase. This tax increase lands on these small business owners, even if they do not take one penny out of their business. Thus, even if a small business reinvests all its income from the business to hire more workers, pay the workers they already have or purchase equipment, they would still get hit with this looming tax hike.

Our economy simply cannot afford to take on such a fiscal shock. President Obama promised that if we would just pass his \$800 billion stimulus bill, unemployment would not go above 8 percent. It has now been 40 months in a row since the stimulus passed that unemployment has been above 8 percent.

Looking at this problem more broadly, economists estimate that if these current tax policies are allowed to expire, the economy could contract by approximately 3 percentage points. That would be a large hit to an economy that is still weak and recovering from the fiscal crisis of 2008. Adding another fiscal crisis by neglecting to extend these tax policies may cause even further damage. For those on the other side of the aisle, including the President, who argue we should raise the top two tax rates because it is the fiscally responsible thing to do, I will point out a few things.

First, according to the Congressional Budget Office, 80 percent of the revenue lost from extending the 2001 and 2003 tax relief provisions is found among those making less than \$200,000 per year if single and \$250,000 if married.

Second, the nonpartisan official scorekeeper for Congress on tax issues, the Joint Committee on Taxation, tells us that 53 percent of all flowthrough business income would be subject to the President's proposed tax hikes. Because the vast majority of small businesses are organized as flowthrough business entities, as I mentioned above, this is especially harmful to small businesses. Given the agreed-upon importance of small businesses to our economic recovery, it is a mystery to me why the President and his Democratic allies would pursue tax increases on these very job creators. We simply cannot afford to raise taxes on over half this business income.

This would take the marginal tax rate on small businesses from 33 percent and 35 percent to 39.6 percent and 41 percent, respectively.

Look at this particular chart and the increase in small business top marginal

rates. Here, the blue line starts to go up in 2012. As we can see, the marginal rates will go to 40 percent and up to 41 percent.

It seems clear what the agenda of the Senate should be. We should be focused like hawks on moving us back from the fiscal cliff and preventing "taxmageddon." Yet at a time when we should be working to prevent a massive tax increase, President Obama and his Democratic allies are spinning their wheels trying to raise taxes on politically unpopular groups.

These tax hikes are already scheduled to go into effect. Congress doesn't have to do anything, and everyone will pay more in taxes come 2013. That is not a good sign, given that some people have called this a do-nothing Senate.

Let me refer to the Senate Democratic leadership's tax legislation to-do list.

I am sure some people are tired of the mantra among conservatives that Democrats want to raise taxes and Republicans don't, but we say it because it is true. At liberal think tanks, their employees go to work every morning and think about how they can raise taxes.

My friends on the other side of the aisle, knowing their constituents already feel overtaxed, spend countless hours devising ways to raise taxes in a way that only hits politically unpopular groups or, in the case of ObamaCare, they worked tirelessly to hide the nature of the individual mandate tax and the true impact of the law's over \$500 billion in taxes.

The President is now devoting his entire reelection campaign toward tax hiking in the name of fairness. In the Senate, we have already voted twice on the proposal of my colleague from New Jersey, Senator MENENDEZ, to raise taxes on oil and gas companies. We voted twice on it.

First, we had hearings in the Senate Finance Committee last year. As I said then, that was nothing more than a dog and pony show. Everybody knew it. Then the leadership brought the bill directly to the floor, skipping the process of a markup.

A few months ago, we voted on the silly Buffet tax—the Buffet rule tax hike bill—without hearings and without a markup. This is not serious tax policy. The Buffet tax is a statutory talking point and not a very good one at that.

First, the President said it was about deficit reduction. We pointed out to him it raised only \$47 billion in revenue over 10 years, a drop in the bucket given the President's trillions in deficit spending. We pointed out that implementing the Buffet tax the way President Obama suggested in his most recent budget would lose nearly \$1 trillion over the first 10 years alone. Specifically, President Obama proposed replacing the AMT with the Buffet tax.

So the White House shifted gears. Now the Buffet tax was about fairness. But when we pointed out that his

redistributionist scheme, if redirected to a lower tax bracket, would only yield an \$11-per-family tax rebate, he criticized Republicans for demonizing him as a class warrior.

The President needs to come clean about what the Buffet tax is. It is nothing less than a second and even more damaging alternative minimum tax, one that would force many small business owners and job creators to pay a minimum of 30 percent of their income in tax.

As the Wall Street Journal said on April 10:

The U.S. already has a Buffett rule. The Alternative Minimum Tax that first became law in 1969 . . . . The surest prediction in politics is that any tax that starts by hitting the rich ends up hitting the middle class because that is where the real money is.

What is rich about the Buffett rule is that Mr. Buffet would be able to avoid his own Buffett tax. What is the President doing? Why, with "taxmageddon" around the corner, are President Obama and his liberal allies dithering with these harmful tax increases?

The answer is pure and simple: politics.

Let's not forget that every minute Democrats spend playing politics is a minute we don't spend preventing the largest tax increase in American history.

It is time for the Senate Democratic leadership to get serious and to focus on preventing this massive tax hike.

Instead of focusing on preventing this massive tax hike on small business, however, the President and the congressional Democratic leadership have doubled down on their small business tax hike strategy. The President's speech yesterday was simply a rehash of the same old ineffective arguments about why we should raise taxes on small businesses. His claims that it is necessary to rein in the debt and deficit are not credible at all, considering he has added trillions of dollars to the debt since he has been in office. The Senate Democratic leadership will not even present a budget proposal of their own for the Senate to vote on.

"Taxmageddon" is coming. The only good news is that Congress can prevent this historic tax increase. I have an amendment to this bill that will prevent this historic tax increase and will pave the way for significant tax reform in 2013.

That is where my focus will be until this tax hike is prevented, and I hope my colleagues will join me in preventing this looming tax increase on the American people.

Forty of my colleagues on the other side of the aisle voted to temporarily extend this tax relief in 2010. They should do so again.

President Obama once said it would be foolish to raise taxes during an economic downturn, and he acted accordingly. I compliment him for doing so.

Our economy remains weak today. The only thing that appears to have changed is that President Obama has

apparently determined that his path is class warfare.

My hope is my colleagues who have supported this tax relief in the past will put the President's shortsighted and self-interested partisanship aside and vote on behalf of their constituents to extend tax relief to America's families and small businesses.

I finished reading this book about Lyndon Johnson and about his ascension to the Presidency of United States of America. For most of the time before President Kennedy's unfortunate death, Lyndon Johnson was kind of a fish out of water. He didn't know what to do. He wasn't utilized very well. He was totally loyal to the President. But once the murder of our President occurred, he was very sensitive to the feelings of the Kennedy family, the Kennedy widow and the Kennedy children. He was sensitive to the President's brothers. He didn't move into the White House until after everything was taken care of. But he decided he was going to make sure the President's tax cuts went through. Naturally, there was serious involvement with the civil rights bill at that time, something many of our southern Senators—most all Democrats—did not want to pass. He knew if they brought that up first, the tax bill would never pass. It is an extremely interesting book by Robert Caro as to how the President was able to get the tax cuts through ahead of bringing up the civil rights bill and then bringing up the civil rights bill and putting pressure on Republicans and Democrats to do what should have been done many years before.

I pay tribute to President Johnson, who, of course, in the eyes of many Democrats and Republicans, had a mixed record, but he was a master in helping President Kennedy's tax bill go through. And because of that, we had a period of decent expansion.

I don't think I will ever fully understand why my colleagues on the other side of the aisle don't seem to understand the importance of cutting taxes during a time when we are in real difficulty. They still want to spend more by increasing taxes, which they never seem to use to pay down any deficits. We use them to spend more than ever before. They could take a page out of Lyndon Johnson's book and really out of the book of President John F. Kennedy, who was smart enough to know, intelligent enough to know, and caring enough to know that during times of great difficulty tax rate reductions are very important.

Mr. President, I wish we could work together a little bit better. I wish both Democrats and Republicans would get off their high horses and start to band together and work on what is wrong with our country instead of what is wanted as far as political advantage goes. Taxing 940,000 small businesses—which is what our bipartisan leaders in the Senate have said—is like asking to go into a deeper depression. It is like saying we don't care.

What is really interesting is that a lot of these taxes are going to be socked onto the people who earn less than \$120,000 a year through the health care bill. And further, with regard to the health care bill, which is now considered a tax, the bottom 10 percent of all wage earners or of all people in our society are going to pay a pretty whopping percentage of the taxes that are going to be assessed. They are the ones who are going to get hit harder than anybody else.

I think our colleagues on the other side ought to really study this and figure it out. And the points I am making are from many bodies who are supposed to be nonpartisan. We simply cannot allow tax Armageddon to occur. And by using this ploy, the President is just playing politics instead of doing what really ought to be done. I think more of him than that, and I hope that I am right and that he will get off his high horse, quit playing the class warfare game, and start doing what is right for America. He would be better off if he did, I guarantee that.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mr. ISAKSON. Madam President, I ask unanimous consent to speak as in morning business.

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

#### UNITED NATIONS

Mr. ISAKSON. Madam President, I come today to share with the Senate a letter which I have written to Ambassador Susan Rice, the United States Permanent Representative to the United Nations. It is a letter I have written over a grave concern I have over actions that have taken place recently in the United Nations but also reflects back on some things that have happened in the last year or so that are very troubling to me and, quite frankly, very troubling to my constituents.

As I know the Presiding Officer is aware and as all the Senate is aware, the U.N. convened this month in New York a conventional arms trade treaty, where they are looking at an international treaty on limitations and governance over small arms shipment and trade between countries.

I have expressed my concern about the threat to the United States second amendment, our constitutional right to bear arms, and my concern over the U.N. subordinating U.S. law to itself. But I have never ever been as concerned as I am today to find out that Iran has been named, without objection, as a member of the conference that will lead this debate.

I want to talk about it for a few minutes, because a lot of U.N. politics and

U.N. governance and U.N. practices are not understood by the American people. But when the U.N. has one of these conferences working toward a treaty, they will appoint a general conference or a general bureau or a board which is made up of members of the U.N. who will work out the details on the conference and then submit the entire convention to the United Nations.

There is a process in the United Nations where anyone can object to the appointment or to any other motion that may be made on the floor, because the U.N. operates under what is known as consensus, which is the absence of an objection. If there is an objection to a motion that is made, then a vote takes place.

Iran has been seeking a position on this U.N. conference on small arms and arms trade treaty agreement for some time. That has been known.

This is the same Iran the U.N. has sanctioned four times in the last 3 years for its progress on its nuclear arms program and the enrichment of nuclear material. It is the same Iran that as recently as last week the U.N. sent its former chief head president to try to negotiate a settlement on the horrible things that happened in Syria. This is the same Iran that is accused of shipping arms to Syria and to the Assad regime, which has resulted in the killing of over 17,000 Syrians in the last year.

How in anybody's right mind could they allow a country that is in the process of doing that and that has been sanctioned four times by the U.N. to ascend to a position to negotiate a conference on a treaty on small arms on behalf of the U.N.?

I have written this letter to Secretary Rice because I have great respect for Ambassador Rice, and I know she is doing a great job. But I cannot understand for the life of me why the United States would not use its right to object to the appointment of a country such as Iran on any treaty, much less one on arms and the Arms Trade Treaty. It reminds me of what happened a year ago when North Korea went on the disarmament committee in the United Nations. Today, Syria is seeking a position on the Human Rights Commission. These types of appointments to people who are often serial violators of the governance of the committee they are trying to seek is laughable and puts the United Nations and the United States in an embarrassing position.

I have written Secretary Rice to find out the answer to this question: Did we have the opportunity to object to Iran being named to the conference? If we did, why didn't we object to that? How in the world can we be expected to have any confidence in what comes out of the conference if, in fact, one of the worst perpetrators in the world is being appointed to the conference? I hope the Secretary will inform me so that I can inform my constituents because, frankly, I cannot explain it.

I have great concern that any U.N. treaty on small arms would, intentionally or unintentionally, affect the second amendment rights of the American people. I am a great supporter of the second amendment, and I have had a concern all along. I signed a letter with Senator MORAN from Kansas last week to the Secretary registering my objections and concerns about the threat of that treaty itself, but to find out now that one of the 15 members writing the treaty and negotiating it this month in New York City is the nation of Iran concerns me greater.

I ask unanimous consent to have printed in the RECORD my letter to the Permanent Representative to the United Nations, Susan E. Rice, of the United States and New York.

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

U.S. SENATE,

Washington, DC, July 10, 2012.

Hon. SUSAN E. RICE,

*United States Permanent Representative to the United Nations, United States Mission to the United Nations, United Nations Plaza, New York, NY.*

DEAR AMBASSADOR RICE: I write today concerning the United Nations (U.N.) Conference on the Arms Trade Treaty being held this month in New York City. I have already expressed my concerns and objections over the danger that the U.N. Arms Trade Treaty poses to our sovereignty and to our Second Amendment rights. I now write to voice my strong concern over the recent inclusion of Iran as a member of the Conference's Bureau/General Committee, and the failure of the United States to exercise its right to block this action.

On July 3, 2012, the members of the Conference unanimously supported Iran's bid for membership on the Conference's Bureau/General Committee. The Conference supported Iran's inclusion in the Bureau/General Committee despite both Iran's continued pursuit of a nuclear weapons program in defiance of numerous U.N. Security Council Resolutions and a recent U.N. report detailing Iran's central role in enabling the continuing massacre of Syrian civilians by Bashar al-Assad's regime.

Situations such as these are not without precedent. Just last year, North Korea ascended to the presidency of the U.N.-backed Conference on Disarmament, and recent reports have indicated that Syria is actively pursuing membership on the U.N. Human Rights Council. Given this recent history, the possibility of Syria joining such a body at a time when it is slaughtering thousands of its own citizens does not appear as implausible as it should.

It is my understanding that the United States had the opportunity to oppose Iran's membership. If this is true, it is particularly troubling that Iran faced no opposition. As Iran becomes increasingly isolated on the international stage a unanimous vote in favor of its membership on an international panel legitimizes the regime. The United States must vocally lead the opposition to any attempt by Iran to use an international body to further its aims. I am requesting a full explanation as to why the United States did not oppose Iran's membership on the Bureau/General Committee of the U.N. Conference on the Arms Trade Treaty, and a commitment that the United States will do all that it can to oppose Syria's membership on the U.N. Human Rights Council.

My constituents regularly voice their concerns that their tax dollars go toward sup-

porting the United Nations, an organization that many of them see as operating in direct opposition to U.S. interests. As a member of the United Nations and as a permanent member of the Security Council, our resolve must be the catalyst for the United Nations to assert itself as a positive force in unifying the world community against tyranny, terrorism and totalitarianism. I look forward to your response and look forward to sharing it with my constituents.

Sincerely,

JOHNNY ISAKSON,  
*U.S. Senate.*

Mr. ISAKSON. Madam President, I ask unanimous consent to have printed in the RECORD a letter from the Members of the House of Representatives—over 100 of them—to the President and Secretary of State Clinton regarding the U.N. arms agreement.

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

CONGRESS OF THE UNITED STATES,

Washington, DC, June 29, 2012.

PRESIDENT BARACK OBAMA,

*Pennsylvania Avenue, NW, Washington, DC.*  
SECRETARY OF STATE HILLARY CLINTON,  
*C St., NW, Washington, DC.*

DEAR PRESIDENT OBAMA AND SECRETARY CLINTON: We write to express our concerns regarding the negotiation of the United Nations Arms Trade Treaty (ATT), the text of which is expected to be finalized at a conference to be held in New York during the month of July. Your administration has voted in the U.N. General Assembly to participate in the negotiation of this treaty. Yet the U.N.'s actions to date indicate that the ATT is likely to pose significant threats to our national security, foreign policy, and economic interests as well as our constitutional rights. The U.S. must establish firm red lines for the ATT and state unequivocally that it will oppose the ATT if it infringes on our rights or threatens our ability to defend our interests.

The U.S. must not accept an ATT that infringes on our constitutional rights, particularly the fundamental, individual right to keep and to bear arms that is protected by the Second Amendment, as well as the right of personal self-defense on which the Second Amendment is based. Accordingly, the ATT should not cover small arms, light weapons, or related material, such as firearms ammunition. Further, the ATT should expressly recognize the individual right of personal self-defense, as well as the legitimacy of hunting, sports shooting, and other lawful activities pertaining to the private ownership of firearms and related materials.

The U.S. must also not accept an ATT that would interfere with our nation's national security and foreign policy interests. The ATT must not accept that free democracies and totalitarian regimes have the same right to conduct arms transfers: this is a dangerous piece of moral equivalence. Moreover, the ATT must not impose criteria for determining the permissibility of arms transfers that are vague, easily politicized, and readily manipulated. Specifically, the ATT must not hinder the U.S. from fulfilling strategic, legal, and moral commitments to provide arms to allies such as the Republic of China (Taiwan) and the State of Israel. Indeed, the State Department acknowledged in June 2010 that the ATT negotiations are expected to introduce such regional, country-specific challenges. Finally, the ATT should not contain any language that legitimizes the arming of terrorists—for example, by recognizing

any right of resistance to “foreign occupation”—or implies that signatories must recognize the jurisdiction of the International Criminal Court.

Furthermore, the U.S. must not agree to an ATT that would damage U.S. economic interests. The ATT must not create costly regulatory burdens on law-abiding American businesses, for example, by creating new onerous reporting requirements that could damage the domestic defense manufacturing base and related firms. Furthermore, the ATT must not pressure the U.S. to alter either the criteria or the decision-making system of its current arms export control system, which Secretary Clinton has called the “gold standard” of export controls. The ATT should not in any way skew domestic debate on export control reforms, as the U.S. continues to modernize export controls to increase U.S. global competitiveness, create jobs for American workers, and strengthen our allies.

Lastly, regardless of negotiated text, the Administration must make clear in its reservations, understandings, and declarations that the ATT places no new requirements for action on the U.S., because U.S. law is already compliant with the treaty regime or that the treaty cannot change the Bill of Rights or the constitutional allocation of power between the federal and state governments. Moreover, the U.S. must not accept the creation of any international agency to administer, interpret, or add to the ATT regime because it might represent the delegation of federal legal authority to a bureaucracy that is not accountable to the American people.

We urge this Administration to uphold the principles outlined above in the ATT negotiations at the July conference and any future venues for discussion. Should the final ATT text run counter to these principles or otherwise undermine our rights and our interests, we urge this Administration to break consensus and reject the treaty in New York. Further, the Constitution gives the power to regulate international commerce to Congress alone, and the ATT will be considered non-self-executing until Congress enacts any legislation to implement the agreement. As members of the House of Representatives, we reserve and will maintain the power to oppose the appropriation or authorization of any taxpayer funds to implement a flawed ATT, or to conduct activities relevant to any ATT that has been signed by the President but has not received the advice and consent of the Senate.

Sincerely,

MEMBERS OF CONGRESS.

Mr. ISAKSON. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

AFFORDABLE CARE ACT

Mr. HARKIN. Madam President, 2 weeks ago the Supreme Court did the right thing and settled once and for all the question of whether the Affordable Care Act is constitutional. As I said on the floor 2 weeks ago, the fight is over; the law is constitutional, and it will stand. Some have been saying this is a great win for the President or for Democrats. I don't see it that way. I believe this is a great victory for the American people, for small businesses, and for our economy.

Now is the time to move past the political distractions and focus on the task before us: implementing the law to bring quality, affordable health coverage to every American.

Unfortunately, tomorrow the House of Representatives will take a step in exactly the opposite direction. They have cracked open their old, tired playbook and will vote once again to repeal the Affordable Care Act. This is the second time the House has taken this vote to repeal the entire Affordable Care Act, and they have failed every time to pass it in the Senate. The House has voted 30 times to repeal all or part of the Affordable Care Act. Again, they have not been successful on any one of those in the Senate, in this Chamber. If you say there hasn't been a vote—yes, in this Chamber, the Senate, last year every Member of the Republican caucus voted to repeal health reform. That failed as well. This is just cynical politics.

My Republican friends don't expect their bill to repeal the Affordable Care Act to actually become law; they just want to put on grand political theater. Their strategy, dreamed up by the same old cast of characters, such as Karl Rove, is to gin up the rumor mill, scare people with lies and distortions while offering no ideas of their own. They don't offer any new ideas because they don't have any.

Neither the House nor Senate Republicans agree on any plan that controls costs, brings down premiums, or covers as many people as the Affordable Care Act. In fact, a Republican Senator was recently asked to describe his plan for the health care system if the Affordable Care Act were repealed. Here is his answer: “What we need to do is have a lot of hearings.” That is their plan? I don't think that qualifies as a plan. That won't help the millions of people who would lose access to affordable health insurance coverage.

Republicans in Congress are pandering to the extreme rightwing—those who want to tear down everything this President has accomplished, regardless of the cost. Their strategy only makes sense if you are absolutely obsessed with two things: tearing down health reform and tearing down this President.

What would repeal mean for average Americans? Well, I have looked at this a different way. People used to think of the Republicans as being against the Affordable Care Act, but I want to delineate what the Republicans would be for if they were to succeed in repealing the Affordable Care Act. If you vote to repeal the Affordable Care Act, here is what you are for:

You are for putting dollar limits on insurance coverage of more than 100 million Americans, which would allow insurance companies to stop paying benefits right when you get really sick. They will stop paying benefits. That is what you are for if you are for repealing the Affordable Care Act.

If you are for repealing the Affordable Care Act, you are for kicking more than 3 million young people off of their parents' insurance policy right now.

If you vote to repeal the Affordable Care Act, you are for allowing insur-

ance companies to cancel people's coverage when they are sickest—just cancel the policy.

You would be for allowing insurance companies to spend Americans' premium dollars on CEO buildings, marketing, or fancy buildings rather than health care. In the Affordable Care Act, we have a medical loss ratio requirement, and because of that, policyholders nationwide, this year, by August 1, will receive more than \$1 billion in rebates from insurers. What that means in the future is that insurers will have to spend 80 to 85 percent of the premiums they get on health care—not advertising, corporate jets, or big CEO salaries—on health care. If you vote to repeal the Affordable Care Act, you will vote to just let them go back to their old ways, and they can spend 50 cents of every premium dollar on health care, and the rest they can spend on high salaries and fancy buildings and conventions in the Cayman Islands and places like that.

If you vote to repeal the Affordable Care Act, you are for allowing insurance companies to deny people coverage or to increase their premiums if they have a preexisting condition. Nearly half of all Americans have some form of a preexisting condition. So I guess that is what you would be for if you vote to repeal the health care bill.

If you want to repeal the bill, you are for taking affordable coverage away from more than 30 million people, and you are for making insured Americans pay for tens of billions of dollars of uncompensated care when uninsured people show up in the emergency room. This has been estimated to cost American families an average of \$1,100 in extra premiums annually.

If you vote to repeal the Affordable Care Act, you are for charging as much as \$300 in copays for lifesaving, preventive services that Americans now get for free, services such as mammograms, colonoscopies, and other cancer screenings. More than 85 million people have already used these free services so they can stay healthy, get in charge of their illnesses, or catch something early on when it costs less.

If you are for repealing the Affordable Care Act, you are for increasing prescription drug costs on seniors by an average of \$600 a year. That is because in the Affordable Care Act we close this doughnut hole. More than 5.2 million seniors and people with disabilities, I might add, have saved a total of \$3 billion already on prescription drug spending in the doughnut hole since we enacted the law. If you are for repealing this law, you are for making seniors pay more money for prescription drugs, pure and simple.

If you vote to repeal this law, you are voting to deprive States and localities of vital funding to combat chronic diseases, such as cancer, diabetes, and heart disease, and to ensure that our kids have access to lifesaving vaccines. Why do I say that? Because in the

health reform bill, there is a prevention and public health fund that is already saving lives, getting money out to communities for these very services, and cutting health care costs. So if you vote to repeal the Affordable Care Act, you are saying that we are not going to combat chronic diseases such as cancer and diabetes and heart disease.

All of these protections I have enumerated have been enjoyed by a certain select group of Americans for decades. What select group of Americans do you suppose I am talking about who have had these protections for decades? I suggest that every Member of Congress, the Senate and House, look in the mirror. We have enjoyed these for a long time. How many times have we heard in the past when we were debating and having hearings on the Affordable Care Act before we voted on it—how many times have we heard from our constituents that “we need the same kind of health care coverage you guys have in Congress.” That is what we did. We didn’t have higher premiums because of preexisting conditions; there is no exclusion because of that. We have had no lifetime or annual limit on benefits, no cancellation of coverage when we got sick, and no copays for preventive services. In health reform, we basically gave the American people the same services we in Congress have enjoyed for a long time.

When a Member of Congress votes to repeal the Affordable Care Act, he or she is saying that these consumer protections are great for us—we will keep them—but they are too good for you, the rest of the American people. That is the kind of cynicism that takes your breath away.

Finally, let me point this out on the mandate that has gotten so much publicity lately. Quite frankly, the issue of this mandate—or, as I call it, a free rider penalty—has a long, bipartisan history. Seven current Republican Senators have previously endorsed a mandate. Many more Republican Senators had endorsed it, and they are no longer here because they either retired or were defeated. Former Massachusetts Governor Mitt Romney included a similar free rider penalty as the centerpiece of RomneyCare in Massachusetts. In fact, he said this: “No, no, I like mandates. Mandates work.”

So we ought to stop these silly political games. The Republicans’ obsession with repealing health reform is based strictly on ideology. They oppose the law’s crackdown on abuses by health insurance companies and any serious effort by the Federal Government to secure health insurance coverage for tens of millions of Americans who currently have no coverage. It is really about giving control back to their good friends—the wealthy, powerful insurance companies—so they can raise your rates and hold on to your money by denying you benefits and making egregious profits.

We all remember William Buckley’s famous admonition to conservatives.

He said that the role of conservatives is “to stand athwart history, yelling stop.”

William F. Buckley. Again, he said: The role of conservatives is to stand athwart history, yelling stop.

Well, in 1935, President Roosevelt and the Congress passed Social Security, providing basic retirement security for every American. Republicans yelled stop. They fought it bitterly. Seventy-five years later they are still trying to undo Social Security.

In 1965 President Johnson and the Congress passed Medicare, ensuring seniors had access to decent health care coverage. Republicans yelled stop. They fought it bitterly. Forty-five years later, they are still trying to undo Medicare.

Well, here they go again. Here they go again, trying to undo the Affordable Care Act. As I have said before, they are on the wrong side of history.

I think we should listen to the American people and leave our ideological obsessions behind and work together to make the law even better. The choice is to go forward or to be dragged backward. It is time to come together as a united American people to create a reformed health care system that works not just for the healthy and the wealthy but for all Americans.

Mr. President, I think it is important also to put a human face on this matter. Let’s just put a human face on what this bill does. I have shown some of these people before. Let’s talk about Emily Schlichting.

She testified before our committee. She suffers from a rare autoimmune disorder that would have made her uninsurable in the old days. But thanks to the Affordable Care Act, as a student, she is able to stay on her parents’ policy until she is 26. Here is what she said at our hearing last year. She said:

Young people are the future of this country and we are the most affected by reform—we’re the generation that is most uninsured. We need the Affordable Care Act because it is literally an investment in the future of this country.

—Emily Schlichting, a student in Omaha.

Then there is Sarah Posekany of Cedar Falls, IA. She was diagnosed with Crohn’s disease when she was 15. During her first year in college she ran into complications from Crohn’s disease and was forced to drop her classes in order to heal after multiple surgeries. Because she was no longer a full-time student, her parents’ private health insurance company terminated her coverage. They stopped it. Four years later, after many health care interventions, she found herself \$180,000 in debt and forced to file for bankruptcy. She was able to complete one semester at Hawkeye Community College but could not afford to continue. Because of her earlier bankruptcy—because of her earlier bankruptcy due to her health—every bank she applied to for student loans turned her down. But now, thanks to the new law, people like Sarah will be able to stay on their par-

ents’ health insurance plan until they are age 26.

Again, are we just going to say to people like Sarah and Emily: Tough. You got a bad break. Tough luck. Are we going to say that just to make some political point because of some ideological obsession?

The Affordable Care Act protects children with preexisting conditions now. That protection will be expanded to all adults in 2014—in just a couple of years. Well, actually, now that I think about it, in about a year and a half, every adult American will have that coverage and be able to get affordable coverage even though they have a pre-existing condition.

That could mean a lot to Eleanor Pierce. She is from Cedar Falls, IA. Here is Eleanor Pierce. When her job with a local company was eliminated, she lost her health insurance. She could purchase the COBRA insurance, but it was completely unaffordable to her. So she searched for coverage on the private individual market but was denied access because of her pre-existing condition of high blood pressure. The only plans that would cover her came with premiums she could never hope to afford without any income.

So here is Eleanor, age 62, suffering from high blood pressure, and she had no choice but to go without insurance and hope for the best. But, Mr. President, hoping for the best is not a substitute for regular medical care. One year later, Eleanor Pierce suffered a massive heart attack. When all was said and done, she had racked up \$60,000 in medical debt.

So, again, are we going to leave people like Eleanor without coverage, with mounting debt and declining health just to make some political point? These are real people the Affordable Care Act is now helping.

Well, as I have said before, the Affordable Care Act is for every American. But many of the benefits that are in place now, Republicans would take away by voting to repeal it. Many like Eleanor, who will be helped when it is fully implemented in 2014, will be denied the ability, the wherewithal to have affordable health care coverage so they can have good preventive health care measures, so they can get in to see a doctor and get medical care before they have to go to the emergency room.

I am told that tomorrow the House of Representatives will once again vote to repeal the Affordable Care Act. But once again they are on the wrong side of history. It is time to come together. Let’s work together now to implement the law. It is constitutional, it is the law, let’s get it implemented, and let’s make sure we don’t go down the road of political theater—political theater—due to ideological obsessions.

I know it is a campaign year. I have been in a lot of campaigns myself. They are tough, I know that. But there comes a point when we have to put politics aside for what is good for the



American people. Now is the time to put aside the politics on the Affordable Care Act. Let's get to the business of implementing it.

As I said, Governor Romney is the nominee of the Republican Party for President. I am sure they will do everything they can to elect him. I understand that, and that is fine. That is the American way. I wouldn't have it any other way. But just keep in mind, when he was Governor, he put in a health care system in Massachusetts that is very much like the Affordable Care Act, which included a mandate. Governor Romney himself said: No, no, I like mandates. Mandates work.

Well, it is time to move ahead. Let's implement the bill, and let's get over this political theater the House is going to embark on tomorrow.

Mr. President, with that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASEY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### RESTORING THE GULF OF MEXICO

Mr. NELSON of Florida. Mr. President, last week, we passed some significant legislation, and it was one little glimpse of a bright shining moment of bipartisanship. The overall Transportation bill passed overwhelmingly. The magnificent leadership of the chairman of the committee, Senator BOXER, and the ranking member, Senator INHOFE, was a good example of how government, in general, and this institution, the Senate, should operate to get things done. We went through the amendatory process, and I noticed the two leaders of the Environment and Public Works Committee fought off all the amendments that would have been killer amendments. They accepted some they believed strengthened the bill, and then we passed the bill seventy-four to nineteen. So it was overwhelming and it was bipartisan.

As a part of the process of that bill, several months ago, when the Transportation bill was on the Senate floor, I had the privilege of offering an amendment—again, bipartisan—to restore the Gulf of Mexico after the effects of the BP oilspill. That emanated from the fact that we have a fine that will be levied by a Federal judge in New Orleans. The law allows for the judge to assess a fine per barrel of oil spilled in the Gulf of Mexico.

In this case, we are talking about some real money. We are talking about almost 5 million barrels spilled in the Gulf of Mexico. The fine could be anywhere from a \$5 billion fine all the way up to a \$20 billion fine. So the question became: Once the fine is determined and approved by the court, where is that money going to go? The Gulf State Senators argued we should be

able to have this come back to help the people and the environment of the gulf who were harmed.

There are so many effects, and we do not know what is going to be the ultimate result of all of this, particularly on the health of the gulf.

Five million barrels in the gulf is a lot of oil. The question is, the natural processes of the bacteria in the water that consume oil that naturally leak through the ocean floor—is the gulf so overwhelmed with all that oil that the bacteria are not able to consume it? Since this came from a ruptured well 5,000 feet below the surface of the water, how much oil is still down there, where it is hard to get any kind of research done because of the depth and the pressure.

That is what we need to know. We need to know for the future and we need to know for all the people who have their livelihood by the gulf, be it the seafood industry—but that not only affects the gulf. The gulf provides seafood for the entire country.

I am coming here to say we have an incredible success in a bipartisan way. I remind the Presiding Officer that we passed that amendment on to the Transportation bill, the RESTORE the Gulf of Mexico Act, in this Chamber 76 to 22. It was a huge bipartisan vote. Last week was a time to celebrate, and it was a time to celebrate for our whole country for a lot of reasons.

Yesterday, I went back to the shores of the gulf to share with the people what the specifics are of the legislation we passed and, once the court decides what the fine is, how that money is going to flow and what it is going to do for our people to improve their economies and the environment and for the long-term outlook of the health of the gulf. I wish to bring this to the attention of the Senate because the gulf doesn't just belong to the gulf coast counties of five Gulf States; it belongs to all Americans, and the President signed it into law last Friday.

I wish to thank those people in the Senate, in the House, and the President for signing it, a wide array of staff and stakeholders, the cities and the counties whose tireless efforts led to the enactment of the RESTORE Act. It aims to make sure the gulf does recover.

The chorus of support behind the success of this bill is enormous, and it would take me until the next Congress to thank everyone. But in addition to Senator BOXER and Senator INHOFE, I wish to mention the spark plug behind this whole effort was Senator MARY LANDRIEU of Louisiana, whose State has suffered mightily. Senator SHELBY and Senator BAUCUS, the chairman of the Finance Committee, who helped us come up with sources of revenue that we had to have to satisfy the General Accounting Office, Senator WHITEHOUSE, all these Senators were involved. Indeed, when we filed the bill 1 year ago, we had Senators from all 5 Gulf States as cosponsors, another display of bipartisan cooperation.

Think back to 2 years ago when this disaster began. It was about 10 at night on April 20, 2010, 52 miles off the coast of Louisiana. The Macondo 252 oil well suddenly kicked, leading to an explosive blowout that claimed the lives of 11 Americans. For the next 87 days, almost 5 million barrels of crude oil gushed into the gulf.

Fishermen pulled the gear off their boats and replaced it with booms and skimmers, tourists canceled their vacations, waiters came to work to find that there were no customers, and the oil continued to coat the marshes that are the nursery habitat for juvenile shrimp and so many of the other critters that spawn in and around the marshes. Some of the beaches that draw tourists every summer were coated. Even for those beaches that did not have oil, the perception was that there was oil on our beaches and the tourists did not come and it killed an entire tourist season.

That is why, in addition to Louisiana being affected with their environment and their shrimping industry and their fishing industry, the economy of Florida, where oil got onto the westernmost beaches—as a matter of fact, there was that famous photograph of Pensacola Beach with the white sugary sand beaches, and it looked like the entire beach was covered. That shot around the world and people started canceling vacations.

Only a few far balls got as far east as Panama City Beach, and the rest of the gulf coast beaches all the way down to the southern tip of Florida, no oil, but the tourists stopped coming. When the tourists stop coming, there is nobody in the hotels and the hotel workers can't work, there is nobody in the restaurants and all those workers aren't working and all the ancillary businesses that depend on that major component of the economy. Then, of course, the seafood industry—the source of one-third of our domestic seafood in this country, the Gulf of Mexico. Of course, the fishing industry was devastated, even those who could fish outside the danger zone of where the oil was lurking. People stopped buying gulf seafood because they were afraid it was tainted. Even when the oil was finally shut off after 3 months, the gulf was left with this public perception that the gulf was tainted.

If we remember back, the President asked the Secretary of the Navy, Ray Mabus, to recommend a strategy to restore the gulf. Why Ray Mabus? Because he had been a Gulf State Governor, Governor of Mississippi. After he did his first tour, Secretary Mabus labeled the gulf a national treasure, and he recommended that a significant portion of the Clean Water Act fines to be levied against BP be sent back to the region for environmental and economic recovery. Over the last couple weeks, the President, the Congress, stakeholder groups from across the country and across the political spectrum have made this commitment to restore this

national treasure, and the result is that we passed the RESTORE Act.

Over the next 6 months, the Department of Treasury is going to develop procedures in which to implement the RESTORE Act. The Ecosystem Restoration Council, established by the act, will build on the recommendations of Secretary Mabus, the task force, and others to develop a draft comprehensive plan to address the environmental needs of the gulf. It is a Federal-State council. Once we know the outcome of the Justice Department's lawsuit against BP—and there are rumors that there is a settlement in the works. If that settlement were to be true and the judge approves it, the money will be ready to flow under the procedures being set up under this Federal-State council as initially determined by the Department of the Treasury.

The reason I wish to speak is not only to thank the many people who helped us accomplish this major milestone, but I also want to put into the CONGRESSIONAL RECORD why certain provisions in the RESTORE Act are there.

As the sponsor of the amendment, I want this legislative intent to be understood as the law is implemented. Certainly, I want understood from my perspective, as one of Florida's two Senators, what we have done. But it is important to flesh it out, if it hasn't been said already in testimony in committee as well as testimony as given in the speeches on the floor.

The RESTORE Act sends 80 percent of all the Clean Water Act fines back to the gulf through four mechanisms. The first is to direct equal allocation among the five Gulf States.

In the spring of 2011, in our State, the Florida legislature passed and the Governor signed legislation to ensure that the most affected counties receive the bulk of any oil spill funding that comes to the State. This is different in the allocation of this first pot of money in the State of Florida from what was indicated in the other four Gulf States. In the case of Florida, it is memorialized in law that 75 percent of the funds for Florida in this first pot of money would be spent in the eight disproportionately affected counties in the Florida Panhandle—so from the west, Escambia County all the way to the east to Wakulla County—while the remaining 25 percent would be spent in other counties. That allocation of funding is mirrored in the RESTORE Act and it is now law. This is important. Because while there are places across the State that suffered from the misperception of oil, the panhandle counties were some of the hardest hit. So when it comes to the first allocation, the intent was to have those eight counties receive 75 percent of the funds in that first pot and for the other counties along the gulf coast of Florida to receive the remaining 25 percent.

If that State law is changed in the future, I want it clearly known that the legislative intent of the sponsor of this

bill was what was just said: the 75–25 allocation—not to be squirreled off into some other purposes in the State government but to go to the counties that were affected by the spill.

The Senate-passed version of the RESTORE Act included impact allocation formulas for disproportionately affected counties and for other gulf coast counties that took into account things such as population and proximity to the oil spill. These impact allocations were meant to provide a reasonable and transparent method for accounting for impacts between gulf coast counties in Florida. The Florida Association of Counties convened working groups of the disproportionately affected counties to determine such a method.

When we got into the conference committee with the House, the House didn't go along with that particular internal approach so that language was not included in the final public law. But I want the record stated that was the intent of the Senate-passed bill, and as I have just come from the gulf coast yesterday, I understand from the county commissions all up and down the gulf that they intend to work with the cities and the other affected parties to try to follow that method they had recommended to us that we put into the Senate-passed bill.

The eight panhandle counties worked hard to reach a consensus, and it is my expectation they are going to continue to honor those collective decisions to come up with a fair and reasonable method of allocating the money. Throughout the spill and for the recovery efforts that are moving forward, the gulf region worked as one gulf, with Louisiana shrimpers standing shoulder to shoulder with Florida county commissions because, together, the gulf would be stronger and better. I urge all the stakeholders to continue this unified, consensus-driven process. Any one city, any one county or State restoration effort will only help the region if you look at it as a whole.

I said there were four pots and each of the pots has a specified amount, a percentage of the total fine money. Each of them has certain criteria. The first pot I described will be divided up among the five Gulf States, equal parts to each State, and distributed according to the formulas I mentioned.

The second pot is an amount of money specified to be directed under a Federal-State council. It will be for the purposes of restoration of the environment of the gulf.

A third pot will be according to State plans, operating under the criteria put together by all of the stakeholders, including a representative from all the gulf coast counties in Florida, and ultimately approved by the State-Federal council.

The last pot, the final 5 percent of the allocation of the moneys, is to be an investment in the long-term science and monitoring of the gulf ecosystem. When the oil began to spill we immediately realized how little we knew

about the gulf. Many commercially and recreationally important fish stocks in the gulf have never had a stock assessment. We did not know what the fisheries were. We knew organizations were closing down certain fish stocks to protect the species, but it was never done with up-to-date data. To know how to restore a whole ecosystem we have to know what has been harmed and how we go about straightening it out. So half of the science funding is going toward a grant program to collect data, observe and monitor the fish, the wildlife, and the ecosystem of the gulf in the long term.

From the beginning this program has been a priority of mine because our fishing industry is so important—commercial fishing, recreational fishing, and charter fishing.

By the way, the protection of these fisheries is not just for the fish in the gulf because so many of these critters that are spawned in the marshes and bayous of the gulf, in the near-shore habitats of the gulf, are species that migrate to all the oceans of the world. I want to reiterate that this program is intended to provide a long-term investment in gulf science.

Years ago, in Alaska, after the Exxon-Valdez spill, it took 5 years for the herring population to collapse and it has not recovered in the 19 years since. We do not want this to happen in the Gulf of Mexico fisheries. If this gulf science program looks only at the short term we may not be able to adequately assess the real impacts.

This funding is also meant to supplement existing efforts and not to supplant them. I want that clear in the legislative intent. The health of the gulf, the fishing industry, and the tourism industry all rely on accurate, up-to-date science—which is lacking, by the way, not just in the gulf but in all our fisheries.

There is a strict cap on the administrative expenses of 3 percent so that the RESTORE funds produce on-the-ground results rather than plugging budgetary shortfalls.

The science pot, the fourth pot, is divided in two. I have described the long-term science looking at the fisheries. The remaining half of the science pot will go to centers of excellence to be established in each of the five Gulf States. University and research institutions in Florida have been a vital part of the response to the Deepwater Horizon incident. Since the 1960s, Florida research institutions have worked together to benefit oceanographic science in the State. This coordinated effort is called the Florida Institute of Oceanography. This institute is essentially Florida's marine science brain trust and its members have done excellent science work, particularly since the oil spill.

This model has produced excellent results that avoid the duplication and make the most effective use of the resources in the State. That is why the RESTORE Act includes language that



specifies that in our State of Florida, a consortium of public and private research institutions in the State—a total of 20 with 7 associate additional members, including the two State resource agencies—is going to be the ones named to carry out the center of excellence in our State. This language is intended to provide for the Florida Institute of Oceanography to carry out this program as the centralized voice of the ocean science in Florida.

I want that clearly understood for any who read about this legislation in the future. That was the legislative intent with regard to the center of excellence in the State of Florida. Each of the other States has their own procedures.

This past week I have been on the gulf coast quite a bit to tell folks about what I am sharing here today. This new law is going to provide some of the necessary resources and a framework to restore the gulf coast and the waters of the Gulf of Mexico. Just like plugging the Macondo well was a step in the right direction, this is another monumental step. But obviously our work is not done here.

The Department of Justice is still negotiating with BP to ensure that they are held responsible for the damage done, and it is time to implement RESTORE, because we want to eat gulf seafood forever at Fourth of July barbecues. Parents want to see their children playing on the white sand beaches of the gulf. They want them to visit the Gulf Islands National Seashore and all up and down, from the Perdido River in the west all the way to the tip of the Florida Keys at Key West.

I am going to continue to work with our colleagues to move this process forward in a way that adequately restores this national treasure of the Gulf of Mexico for many future generations.

I appreciate the opportunity to share this and I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. BURR pertaining to the introduction of S. 3367 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BURR. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask that the order for the quorum call be rescinded.

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

The assistant majority leader.

#### CHILD MARRIAGE

Mr. DURBIN. Mr. President, I rise today to discuss a disturbing article which most of us saw on the front page

of the Washington Post. It is entitled "In Niger, hunger crisis raises fears of more child marriages." It was written by Sudarsan Raghavan. The article highlights child marriages around the world. It is a human rights atrocity that steals the future, the health, and the lives of little girls and even boys in many developing countries.

In many of these countries girls are treated like chattel or commodities, sold into marriages with older men to settle debts or for dowries to help families survive. In Niger—the focus of the Post article—a famine is raising fears that more families will turn to that practice and marry off their little girls to gain economic security and even survival.

Niger happens to have the highest prevalence of child marriage with one out of two girls marrying before the age of 15, and some are as young as 7.

Can you imagine? Women, look around you. If you see another woman, know that in Niger one of you would have been married before you were 15 years old. That is exactly what happened to Balki Souley.

Balki Souley was married at 12 years of age. Let me show this poster of her. She is now 14. She recently lost her first child during childbirth at age 14. She almost died herself. Her small body was just too frail to handle the difficulty of facing labor. While Niger has the world's highest rate of child marriage, it is not the only place this scourge occurs. It can be found all over the world and is most prevalent in Africa and southern Asia.

Recently the Senate acted to ensure that the U.S. government is adequately addressing this global human rights tragedy by passing the International Protecting Girls by Preventing Child Marriage Act. Senator OLYMPIA SNOWE and I were joined by a bipartisan group of 34 Senators in introducing this legislation. We have now passed this legislation in the Senate not once but twice.

Unfortunately, despite the bipartisan support for this bill in the Senate, the Republican leadership in the House refuses to act on this legislation. With every day that failure in the House continues, more and more little girls around the world, such as Balki are forced into early marriage.

This means more girls in developing countries will lose their freedom, have their childhood innocence stolen, and may, in fact, lose their lives. It means more young girls will be forced into sexual relationships with men two or three times their age, and it means more girls will suffer the devastating and often deadly health consequences that accompany forced child marriage such as sexually transmitted diseases and birth complications for the child and mother.

That is not what America stands for. I am calling on Speaker BOEHNER, Majority Leader CANTOR, and House Foreign Affairs Committee Chairman ILEANA ROS-LEHTINEN to bring this bill to a vote in the House immediately.

Read the article, consider the photographs in the Post and other places. The lives of these girls in developing countries across the world are literally in your hands.

Mr. BAUCUS. Mr. President, Mother Teresa once said, "Be faithful in small things because it is in them that your strength lies."

Small businesses matter; they are the store fronts in our main streets; they are the idea creators in our technology sector; and they are the employers of our people.

In Montana small businesses matter even more, since small firms make up 97.6 percent of our employers and create almost 70 percent of the private-sector jobs.

We know small businesses are hurting because we see the job numbers. True, unemployment rates are holding steady, but we need to do better.

Monthly job growth hit its highest point in 20 months in January, creating 275,000 new jobs. But job growth slowed substantially to 77,000 in April and 69,000 in May—its lowest point since May of last year—and 80,000 in June.

Similarly, U.S. GDP grew by 3.0 percent in the fourth quarter of 2011 but has slowed to 2.2 percent for the first quarter of 2012.

We need to give businesses the boost they need to take the risk in hiring that additional employee or investing in that additional piece of equipment. The Small Business Jobs and Tax Relief Act introduced by Senator REID does just that. It gives businesses a 10-percent tax credit for increased payroll, allows businesses to write-off 100 percent of their business purchases made this year, and expands the ability of businesses to claim an AMT credit in lieu of bonus depreciation.

The hiring credit makes it cheaper for small businesses to employ workers or raise wages. The extension of bonus depreciation would help small businesses that purchase equipment to write off those purchases more quickly. The proposal would also help the businesses that sell the equipment. Bonus depreciation sparks investment, increases cash flows, and creates jobs.

These measures work because they provide incentives. They require companies to do something beneficial in order to obtain the corresponding tax benefit—either to hire American workers or invest in capital in the United States.

The Reid bill is in stark contrast to that offered by Representative CANTOR. His small business jobs bill is a mere giveaway. It gives businesses a 20 percent deduction for simply earning income. The Cantor bill allows businesses to avoid paying taxes on one-fifth of their profits as long as they employ fewer than 500 people and pay twice the amount of the deduction in wages. But rather than creating jobs or investing in business, the Cantor bill incentivizes the opposite. Because it provides a temporary reduced rate, the Cantor bill

incentivizes businesses to defer making investments, hiring new employees or increasing wages in 2012 in order to increase profits. That is because, the larger the profits, the larger the tax deduction under the Cantor bill.

That does not make sense for what we need as a Nation. Those businesses that need the boost are those that may be struggling to make a profit right now. Indeed, this could be a risk-taking retailer or technology start-up that may not have any income at all this year. Those businesses would not be helped by Representative CANTOR's proposal. Nor does it make sense to spend \$46 billion for only 1 year of the provision as proposed by Representative CANTOR.

We should be working to create certainty for our small businesses—reducing tax rates for all businesses without magnifying budget deficits or exacerbating our long-term fiscal challenges.

We should oppose the Cantor bill and support the Reid bill.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, so ordered.

The assistant majority leader.

#### THE DREAM ACT

Mr. DURBIN. Eleven years ago, I introduced the DREAM Act. It was legislation to allow a select group of young immigrant students with great potential to be a bigger part of America. The DREAM Act gave the students a chance to earn their way into legal status. It wasn't automatic. They had to come to the United States as children, be long-term residents, have good moral character, graduate from high school, and complete at least 2 years of college or military service.

It has had a strong history of bipartisan support over 11 years. I first introduced it with my Republican lead sponsor, Senator ORRIN HATCH of Utah, when it was first introduced. When the Republicans last controlled the Congress, the DREAM Act passed the Senate in a 62-to-36 vote with 23 Republicans voting yes. It was part of comprehensive immigration reform. Unfortunately, that bill didn't pass.

The Republican support for the DREAM Act diminished for political reasons. The vast majority of Democrats, despite our support, can't stop a Republican filibuster when the bill has been called for consideration. I am still committed to the DREAM Act. I am committed to work with any Republican or any Democrat who wants to help me pass this important legislation.

Even though we have to wait on Congress to act, these young people who would benefit from the DREAM Act can't wait any longer. Unfortunately,

many are now being deported or at least they were. They don't remember the places they are being deported to, and certainly in many instances they don't speak the language. Those still here are at risk of deportation themselves. They can't get a job and find it difficult to go to school. They have no support from the government in terms of their education.

That is why President Obama and Homeland Security Secretary Janet Napolitano decided the Obama administration would no longer deport young people who are eligible for the DREAM Act. Instead, the administration said they would permit these students to apply for a form of relief known as "deferred action" which puts on hold deportations and allows them—on a temporary, renewable basis—to live and work in America. I strongly support this decision. I think it will go down in history as one of the more significant civil rights decisions of our era, and I salute President Obama for his courage in reaching this conclusion.

Remember that the students we are talking about didn't come to this country because of a family decision. They were brought here as babies and as children. As Secretary Napolitano said, immigrants who are brought here illegally as children "lack the intent to violate the law." It is not the American way to punish kids for their parents' wrongdoing.

The Obama administration's new policy will make America a stronger country by giving these talented immigrants a chance to contribute more fully to the economy. Studies have found that DREAM Act students can contribute literally trillions of dollars to the U.S. economy during their working lives. They will be our future doctors and engineers and soldiers and teachers. They will make us a stronger Nation.

Let me be very clear: The Obama administration's new policy is clearly lawful and appropriate. Throughout our history, the government has decided who they will prosecute and who they will not based on law enforcement priorities and available resources. Previous administrations in both political parties have made those decisions on deportations, and the Supreme Court recognizes the right of a President to decide what agency will make a decision to prosecute or not prosecute. Listen to what the Supreme Court said in a recent opinion on Arizona's immigration law:

A principal feature of the removal system is the broad discretion exercised by immigration officials . . . Discretion in the enforcement of immigration law embraces immediate human concerns.

The administration's policy isn't just legal; it is smart and realistic. There are millions of undocumented immigrants in the country. It would take literally billions of dollars to deport all of them. It will never happen. So the Department of Homeland Security has to set priorities. The Obama adminis-

tration has established a deportation policy that makes it a high priority to deport those who have committed serious crimes or who may be a threat to public safety. The administration said it is not a high priority to deport DREAM Act students. I think the administration has its priorities right.

This isn't amnesty. It is simply a decision to focus limited government resources on those who have committed serious crimes and to basically say to DREAM Act students: You have an opportunity to remain here in a legally recognized, temporary, and renewable status.

That policy has strong support in Congress. It was RICHARD LUGAR, a Republican from Indiana, who joined me 2 years ago in writing to President Obama to ask him to do this. Last year Senator LUGAR and I were joined by 20 other Senators who stood together with us, including majority leader HARRY REID, Judiciary Committee chairman PATRICK LEAHY, and Senator BOB MENENDEZ.

According to recent polls, the American people think the President made the right decision. For example, a Bloomberg poll found that 64 percent of likely voters, including 66 percent of Independents, support the President's policy on DREAM Act students compared to 30 percent—less than half—who oppose it.

Some Republicans outside Congress have also expressed support. For example, Mark Shurtleff, the attorney general of Utah, said:

This is clearly within the president's power. I was pleased when the president announced it . . . until Congress acts, we'll be left with too many people to deport. The administration is saying, Here's is a group we can be spending our resources going after, but why? They're Americans, they see themselves as Americans, they love this country!

Mark Shurtleff, Attorney General of Utah.

It is easy to criticize the President's policy on the DREAM Act in the abstract. What I have tried to do on a regular basis is to introduce those who follow the Senate proceedings to the actual students who are affected by this.

One of them is Kelsey Burke. Kelsey was brought to the United States from Honduras at the age of 10. Her family settled in Lake Worth, FL, where she started school in the sixth grade. By the time she was in eighth grade, she was taking advanced placement classes. She was accepted into the Criminal Justice Magnet Program at Lake Worth High School. She developed a passion for the law and started to dream about becoming an attorney. She continued to take honors classes and then enrolled in college at Palm Beach State College. She graduated from high school with a 3.4 GPA, a criminal justice certificate, and already 15 college credits.

In 2008, Kelsey was granted temporary protected status which allows immigrants to remain in the United

States temporarily because it is unsafe for them to return to their home country. With temporary protected status, Kelsey is able to work legally, although she is still not eligible to stay here permanently or to become a citizen. After she began working, Kelsey was able to afford college. Keep in mind Kelsey and other DREAM Act students are not eligible for Federal student loans or any other Federal financial aid. Going to college for them is harder than it is for most kids.

While working full-time, Kelsey went to Florida Atlantic University, graduating with a major in public communications and a minor in sociology. She was indeed the first member of her family to graduate from high school and college. She now works as a paralegal at a law firm in Palm Beach County. She is very active in her community. She serves on the board of the Hispanic Bar Association, volunteers at the neighborhood community center, and coaches youth soccer. Her dream is to become a U.S. citizen, and she wants to be an attorney. Of course, not being a citizen is an obstacle to her ever becoming a member of the legal profession in this country. Here is what she said when she wrote to me:

I desire to help others pursue their passion, to fight for their dreams, and to make a positive difference . . . Others forgot where they came from and how their ancestors got here; and what coming to America represents. I have been blessed and want to use my knowledge and experience to help other immigrant families.

I am a child of one of those immigrants. My mother was an immigrant to this country. I now have been honored to serve in the U.S. Senate, a first-generation American. I am proud of my mother's immigrant heritage and my heritage as well. In my office behind my desk is my mother's naturalization certificate. At about age 23 she became a citizen. I keep that certificate there as a reminder of my family roots and a reminder of this great country. It is the immigrant contribution to America that adds to our diversity, gives us strength, and I think brings a lot of special people to our shores who are willing to make great sacrifices to be part of this great Nation.

These young people affected by the DREAM Act were too young to make that conscious decision, but the parents who brought them here weren't, and they were making that decision for them. Now we want these young people to have a chance for their generation to make this a stronger Nation. I ask my colleagues: Would we be better off if Kelsey were asked to leave? I don't think so. I think her having grown up in this country and overcome so many obstacles is an indication of what a strong-willed and talented young woman she is. We need so many more just like her.

The President has given Kelsey and others some breathing space here with his decision on the DREAM Act. Now it

is time for us to accept the responsibility not only to deal with the DREAM Act but also to deal with the immigration question. We cannot run away from the fact that it is unresolved and has been for years. We need to work together on a bipartisan basis to make certain we have an immigration system that is fair, reasonable, and will continue to build this great Nation of immigrants, bringing to the shores of this country those who have made such a difference in the past and will in the future.

I thank all of my colleagues, including the Presiding Officer, for his strong support of the DREAM Act. The President's decision has given us a new opportunity to introduce these young people to America in a legal, protected status on a renewable basis.

Mr. President, I yield the floor for my colleague from Ohio.

THE PRESIDING OFFICER. The Senator from Ohio.

#### OHIO MANUFACTURING

Mr. BROWN of Ohio. Mr. President, I so appreciate the leadership of Senator DURBIN on the DREAM Act. Nobody has kept the DREAM Act alive more than he, and nobody has spoken more passionately or cares more about young people. The point of so much of what he is talking about is giving people an opportunity. If they work hard and play by the rules, they can get ahead in this country. While I do not come to the floor today to talk about immigration and the DREAM Act, I support what Senator DURBIN is doing.

I come to speak about something else that is related to allowing people to have the opportunity to get ahead, and that is Ohio manufacturing and why it is so important to our country.

The best ticket to the middle class in the last 100 years in the State of Ohio and all over the country has been people making things. The way to create wealth is to either mine it or grow it or make it. The Presiding Officer in his State of Colorado understands all three of those. In Colorado they mine ore, they grow crops, they make products, as they do in Ohio. Ohio is increasingly becoming an energy State in many ways and a leading farm State. Our biggest industry in a sense in Ohio is agriculture. We are also the No. 3 manufacturing State in the United States of America. Only Texas and Colorado produce more than Ohio does. They are States two and three times our size in population and, in area, more than that.

We know that from 2000 to 2010, we lost one-third of the manufacturing jobs in this country. We lost more than 5 million manufacturing jobs, which disappeared, suffered tens of thousands of plant closings, thousands of communities abandoned or crippled, teachers laid off, librarians laid off, police and firemen laid off, families broken because of these manufacturing job losses. More than 15,000 manufacturing jobs were lost between 2000 and 2010. Since early 2010, we now have 500,000

more jobs than we had in the early 2000s. In other words, for the first time in a decade, we are actually seeing manufacturing job gains. A big part of that is what has happened to the auto industry.

I spent much of last week all over my State but especially visiting places in northern Ohio where manufacturing and especially auto manufacturing is so important. I talked to business owners who are grateful and enthusiastic about what happened with the auto rescue. The auto industry was literally dying in Ohio and across the country. At this point 4 years ago, in late 2008 and early 2009, if the U.S. Congress, the President—the House and Senate—hadn't stepped in, my State would be in a depression. Since then, we are seeing major investments—in many cases hundreds of millions of dollars of investment—tens of millions spent on major investments in Toledo, OH, by Chrysler; major investments in Ohio by GM, major investments in Ohio by Ford, and major investments in Ohio by Honda. We all understand the auto industry is alive and well and coming back.

But many of these auto suppliers—companies that make brackets or bolts or wheel covers or glass or a number of other products that all go into auto assembly—many of these manufacturers, including component manufacturers of parts for the auto industry, talk about competing against China. For too long, they tell me—and I recognize—China has been manipulating its currency to give Chinese exports an unfair advantage. The Chinese Government also gives illegal subsidies to their domestic industries for the purpose of exporting and dumping products in the American market. The term “dumping” simply means they subsidize it so the product itself is priced under the cost of producing it. It is called dumping it in our market.

If that weren't enough, China skirted trade volume even further with illegal duties that affected more than 80 percent of U.S. auto exports to China, including Ohio-made vehicles such as Jeep, assembled in Toledo, and Acura, assembled in Marysville. We can't afford to let China take the wind out of our sails.

Last week, the day after Independence Day, the administration announced it would stand with American workers and fight back against China's discriminatory tariffs on American automobiles. When they use illegal international trade law—when they put illegal tariffs on American products—it means the Chinese keep prices so high for American-made autos—artificially high—the Chinese simply won't buy them. Chinese motorists won't buy them. So they, in effect, by using these tariffs, have kept American products made by American workers in the United States of America, out of China. We buy so much from China. We can buy products in almost any store in America that were made in China. We buy so many of their products, but

they do all they can—illegally in many cases—to keep our products out.

Now is the time to stand for American workers, to stand for suppliers in Dayton who provide aluminum and zinc for casting, workers in Defiance, OH, who specialize in heavy-gauge steel for our domestic automobile industry. That is why the President's decision, the United States Trade Representative's decision, aimed at defending American jobs was so important. We know what rescuing the auto industry meant for us. It was not only about preventing crises, but it could have been an economic depression, especially in the industrial Midwest. Hundreds of thousands of Ohioans depend on the auto industry: workers, suppliers, manufacturers, drivers, truckers, sales representatives, dealerships.

For those of us in Congress who supported rescuing the auto industry, doing so meant standing for the hundreds of thousands of Ohioans and hundreds and hundreds of thousands of Americans, as much as it was about supporting the Big Three.

Today the domestic auto industry is back on course. GM is the leading car company in the world. It is earning significant profits. As I said, plants in Toledo and Lordstown and Defiance are hiring workers. Honda, Chrysler, Ford, GM, have all announced those various multimillion dollar investments in Ohio alone, not to mention many other States I named earlier.

We have to continue making the investments in manufacturing that matter for our recovery and our economic competitiveness. I was just on a conference call with rural housing advocates in Ohio. We know historically in this country what leads us out of depression: manufacturing and housing. We are doing significantly better in manufacturing. Remember earlier in my short little talk, that we lost 5 million manufacturing jobs from 2000 to 2010. We have gained 500,000 since then, including in Ohio almost every single month over the last 30 months or so. Manufacturing is doing its part to pull us out of this recession. We have got to do better in housing. That is a subject for another discussion. But the manufacturing part is so important.

One place we must remain vigilant is the enforcement of trade laws. That is what the President is doing. We know that enforcing trade law is not just right for manufacturing, it is right for job creation. The International Trade Commission's ruling in December 2009 led to a broader measure on imports to support domestic producers of steel pipe, such as V&M Star Steel in Youngstown. By addressing illegal Chinese trade practices, this decision helped increase demand for domestic production. It played a significant role in V&M Star's decision to do something that people did not expect would happen anytime soon. V&M Star Steel made a decision to build a new \$650 million seamless pipe mill in Youngstown, OH, bringing, I believe, about

1,000 building trades jobs, building the structure of the plant, and now several hundred jobs as they begin production—a new steel plant in Youngstown, OH, one of the major steel-producing centers in the country that had come on hard times, particularly in steel; a new steel mill in Youngstown, OH, because the President of the United States, because the International Trade Commission, because the Department of Commerce, because Congress pushed for it, actually enforced trade rules, and look what happened. So trade enforcement matters.

We also need to be vigilant in currency manipulation. Our trade deficit in auto parts with China grew from about \$1 billion 10 years ago to almost \$10 billion today. These massive illegal subsidies the Chinese are engaging in are worsened by indirect predatory subsidies such as currency manipulation. That is why my legislation, the Currency Exchange and Oversight Reform Act, the largest bipartisan jobs bill that has passed the Senate in the last 2 years, is so important. It got more than 70 votes in the Senate. Both parties supported it. The House of Representatives had passed a similar measure one other time. Now we are simply asking Speaker BOEHNER to schedule this bill for a vote. If it is scheduled for a vote, if the House votes on it, they will pass it, I would predict, with at least 300 votes, because large numbers of Members of both parties want to see the House of Representatives move. They voted for it before. We need Speaker BOEHNER to actually bring it to a vote.

It means standing for American jobs when China cheats. Without aggressive enforcement of trade laws, this unlevel playing field will cost hundreds of thousands of American jobs. It is born from the realization that stakes are too high for our workers, our manufacturers, our economy if we do not fight back. We need an all-hands-on-deck approach, at the U.S. Trade Rep, at the Department of State, at the Department of Commerce, to be involved and more aggressive, especially by initiating more trade actions.

We know our trade actions stabilized the auto industry. We know enforcement of trade law translates into steel jobs and paper jobs and tire jobs and other jobs. We know it is time to continue fighting for and investing in American manufacturing.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Sen-

ate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### HONORING OUR ARMED FORCES

SERGEANT JAMES SKALBERG, JR.

Mr. GRASSLEY. Mr. President, today I wish to pay tribute to SGT James Skalberg, Jr., who made the ultimate sacrifice on June 27, in Wardak Province, Afghanistan. James was driving his vehicle when an improvised explosive device detonated, injuring him fatally. My thoughts and prayers go out to his wife, Jessica, his son, Carter, his parents, James and Kelli, and all his other family and friends who are grieving his loss.

Sergeant Skalberg grew up an athlete. He graduated from Nishna Valley High School in Hastings, IA in 2005, and enlisted in the Army in 2007. James deployed to Iraq with his unit in 2008 through 2009 and deployed again to Afghanistan in 2011. His awards and decorations include the Bronze Star Medal, Purple Heart, Army Commendation Medal, Army Achievement Medal, Army Service Ribbon, Overseas Service Ribbon, Driver's Badge, Air Assault Badge, and Combat Action Badge.

James is remembered by his family as having been loved by everyone for being a gentleman in every respect. He was remembered by teachers and coaches as a star player and caring student. He was carefree, easy going, reliable, levelheaded, and loving. He was a family man who loved his wife since they met as teenagers in high school, and his son, Carter, whom he hoped to one day teach to play basketball.

James was the kind of man we can be proud to call a native son of Iowa. He stood as an example to others in his actions and his character. We owe SGT James Skalberg, and others like him, our most sincere gratitude and appreciation for their willingness to make the ultimate sacrifice for our great country. I call on my colleagues in the Senate and every American to pay tribute to this brave American.

#### TRIBUTE TO NORTH CAROLINA AIR NATIONAL GUARD

Mr. THUNE. Mr. President, today I wish to honor six brave airmen with the North Carolina Air National Guard who died or were seriously injured while fighting South Dakota's White Draw Fire.

Lt. Col. Paul Mikeal, Maj. Joseph McCormick, Maj. Ryan David, and Senior Master Sgt. Robert Cannon were killed July 1 when their C-130 firefighting plane crashed near Edgemont, SD, as they battled a large forest fire in the Black Hills. Two crewmembers survived the crash but were left in critical condition.

Men and women in our armed forces put their lives on the line every day for