

States. The bill allows the manufacturer to choose any location for that agent with a "substantial connection to the importation, distribution, or sale" of their products. This clear and straightforward system will allow Americans to commence their lawsuits fairly and promptly, and ensure that foreign manufacturers have proper and fair notice of the proceedings brought against them. It will not conflict with American obligations under the Hague convention, since that convention applies to service of process on foreign manufacturers in their home countries, not in the United States.

The second hurdle, the inability to establish personal jurisdiction over foreign manufacturers, can end a lawsuit against a foreign manufacturer before it even begins. Think about how unfair this is. A foreign manufacturer sells its defective products in the United States, injures American consumers and businesses, and then argues that it is not subject to the courts in the state where the American was injured—in legal parlance, that the courts do not have personal jurisdiction over it. Foreign manufacturers raise this technical legal defense to avoid liability even when serious injuries or even death have been caused by their products—their defective tires, fireworks, exercise equipment, bikes, and toys.

The Foreign Manufacturers Legal Accountability Act will enable injured Americans to surmount this hurdle. It will make clear to foreign manufacturers that by importing their products into the United States and by registering an agent in the United States, they are consenting to the jurisdiction of the courts in the state where their agent is located. By consenting to jurisdiction, the manufacturers will be unable to engage in unnecessary and expensive legislation about technical legal issues and allow courts to settle the merits of disputes. This approach is fair to foreign manufacturers since all American manufacturers are subject to the jurisdiction of the courts of at least one state. This bill therefore complies with the trade principle that we should not subject foreign manufacturers to burdens not already imposed on domestic manufacturers.

Indeed, the Foreign Manufacturers Legal Accountability Act is ultimately about fairness. We all know American manufacturers comply with regulations that ensure the safety of American consumers and businesses. When they fail to do so, they must answer to regulators and are held accountable through the American tort system. Unfortunately, foreign manufacturers are not being held to the same standards—injuring American consumers and businesses, and putting American manufacturers at a competitive disadvantage. We must level the playing field for all manufacturers and provide justice for American consumers and businesses. The Foreign Manufacturers Legal Accountability Act will allow us to make a major step in that direction. It cov-

ers major product categories including consumer goods, drugs, cosmetics, and chemicals, and it requires relevant agencies to study workable approaches to ensure that foreign food producers also are brought within the ambit of the American legal system.

Because of its benefits to consumers, this legislation has the support of several leading consumer groups, including Consumers Union, Consumer Federation of America, U.S. PIRG, and the National Association of Consumer Advocates.

Protecting Americans and holding foreign manufacturers accountable when their products harm American consumers and businesses is a bipartisan issue. Everyone agrees that we should do what we can to keep Americans safe from defective products. So too, I think, do we all agree that American companies should not be at a competitive disadvantage to their foreign counterparts. The Foreign Manufacturers Legal Accountability Act builds on those fundamental agreements. I am grateful to my colleague Senator SESSIONS, and the bill's other cosponsors, for their hard work on this bill. I know that they all feel the impacts of harmful, defective foreign products in their home states, just as we feel it in Rhode Island.

I look forward to working with my colleagues on both sides of the aisle to see this important legislation passed into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 343—COMMEMORATING THE 84TH BIRTHDAY OF HIS MAJESTY KING BHUMIBOL ADULYADEJ ON DECEMBER 5, 2011

Mr. KERRY (for himself, Mr. LUGAR, Mr. WEBB, and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 343

Whereas on June 9, 1946, His Majesty King Bhumibol Adulyadej ascended to the throne and celebrated his 65th year as King of Thailand earlier this year;

Whereas King Bhumibol is the world's longest-serving monarch;

Whereas King Bhumibol has enjoyed a special relationship with the United States, having been born in Cambridge, Massachusetts in 1927, while his father was completing his studies in the United States;

Whereas on March 20, 1833, the United States and Thailand (then known as Siam) signed the Treaty of Amity and Commerce, making the Kingdom of Thailand the first treaty ally of the United States in the Asia-Pacific region;

Whereas bilateral trade between Thailand and the United States grew by 38 percent between 2002 and 2010;

Whereas the United States and Thailand have remained strong security allies for 57 years, as memorialized in the Manila Pact in 1954, and later expanded under the Thanat-Rusk Communique of 1962;

Whereas President Bush designated Thailand as a major Non-NATO Ally on December 30, 2003;

Whereas Secretary of State Hillary Clinton, while in Bangkok on November 16, 2011, stated "Our nations are connected through not only security cooperation and business ties, but the democratic values we share and the bonds of family and friendship that link our people.;"

Whereas the Fulbright Program, which was established between Thailand and the United States in 1950, and other exchanges, provide graduate, undergraduate, and high school students from each country the opportunity to study in the other country;

Whereas collaboration between Thailand and the United States has resulted in significant public health achievements;

Whereas in response to the worst flooding in Thailand's history—

(1) the United States Government—

(A) has provided humanitarian assistance and disaster relief;

(B) is working to help improve Thailand's capacity to prepare and respond to such disasters in the future; and

(C) has declared the United States will support Thailand's long-term recovery; and

(2) United States citizens and the private sector have donated to reconstruction efforts; and

Whereas more than 150,000 people of Thai descent live in the United States.

Now, therefore, be it

Resolved, That the Senate—

(1) sends warm wishes to the people of Thailand as they celebrate the 84th birthday of His Majesty King Bhumibol Adulyadej on December 5, 2011, and commemorate his 65-year reign as King of Thailand;

(2) celebrates the alliance and friendship between Thailand and the United States that reflects common interests, a 178-year diplomatic history, and, most importantly, shared values, including democracy, good governance, and the rule of law; and

(3) expresses its deepest sympathies for the recent historic floods in Thailand, and supports continuing efforts to provide civilian and military assistance to save lives, restore health, and facilitate Thailand's economic recovery.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, December 8, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a business meeting to consider S. 1763, the SAVE Native Women Act, and S. 1065, the Blackfeet River Land Settlement Act, to be followed by a hearing entitled "State and Federal Tax Policy: Building New Markets in Indian Country."

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012

On Thursday, December 1, 2011, the Senate passed H.R. 1540, as amended, as follows:

H.R. 1540

Resolved, That the bill from the House of Representatives (H.R. 1540) entitled "An Act to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department