Mr. MCCAIN. Mr. President, I am pleased to be joined by my colleague, Senator COBURN, in introducing legislation to repeal duplicative federal regulations relating to the inspection and grading of catfish. Specifically, our bill would rescind a provision in the 2008 Farm Bill, Section 11016 of P.L. 110–246, which aims to inhibit Vietnamese catfish imports as well as catfish imports of other potential trade partners.

Section 11016 is nothing more than the latest effort by Members of Congress serving the special interests of the catfish industry in their home States. A similar protectionist tactic was tried in the 2002 Farm Bill when many of these same members slipped in language that made it illegal to label Vietnamese catfish, ''pangasius,'' as catfish in U.S. retail markets. The intent there was to discourage American consumers from buying Vietnamese catfish products even though they are virtually indistinguishable from U.S. grown catfish. It didn't work. Vietnamese catfish remain popular with American consumers because it is more affordable and cheaper to produce than domestic catfish grown in aquaculture ponds. Now these special interests are relying on this latest Farm Bill rider to over regulate Vietnamese catfish by, ironically, deeming pangasius a catfish again. Under the guise of food safety, the 2008 Farm Bill directs the U.S. Department of Agriculture's Food Safety Inspection Service, FSIS, to inspect catfish like it does meat products or eggs, except that no other fish is under the regulatory thumb of the FSIS. Catfish is already regulated by the Food and Drug Administration, FDA, which hasn't reported any safety or health problems with the Vietnamese imports. Domestic producers are simply trying to create barriers for Vietnamese catfish farmers by forcing them to comply with a second inspection regime administered by an entirely different arm of the Federal bureaucracy.

The U.S. Department of Agriculture, USDA, is currently engaged in the proposed rulemaking process for implementing this new inspection authority. A recent Government Accountability Office, GAO, report flagged this FSIS program as ''duplicative'' and ''high risk'' for ''fraud, waste, abuse, and mismanagement.'' GAO estimates that the USDA would spend about $30 million in taxpayer dollars to implement the agency's new catfish inspection program and that we would be further fragmenting our federal food safety system by having catfish regulated twice by both USDA and FDA.

The provision that I am seeking to repeal is nothing more than a protectionist tactic funded at taxpayers' expense. If implemented, the proposed USDA regulations will lead to a duplicative, costly and complex overseas inspection program that serves no real purpose but to protect American catfish growers from competition while forcing American consumers to pay more for fish. Not only is the catfish provision in Section 11016 offensive to our principles of free trade, it flagrantly disregards our Bilateral Trade Agreement and relationship with Vietnam. I urge my colleagues to support this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 93—ESTABLISHING THE COMMITTEE TO REDUCE GOVERNMENT WASTE

Mr. HATCH (for himself and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 93

Resolved,

SECTION 1. ESTABLISHMENT.

There shall be a Senate committee known as the Committee to Reduce Government Waste (referred to in this resolution as the ''Committee'').

SEC. 2. MEMBERSHIP.

(a) COMPOSITION.—The Committee shall be composed of 12 members as follows:

(1) 4 members from the Committee on Finance, 2 selected by the Majority Leader and 2 selected by the Minority Leader.

(2) 4 members from the Committee on Appropriations, 2 selected by the Majority Leader and 2 selected by the Minority Leader.

(3) 4 members from the Committee on the Budget, 2 selected by the Majority Leader and 2 selected by the Minority Leader.

(b) TENURE OF OFFICE.—

(1) PERIOD OF APPOINTMENT.—Members shall be appointed for a period of not to exceed 6 years.

(2) EXCEPTIONS.—No person shall continue to serve as a member of the Committee after the person has ceased to be a member of the Committee from which the member was chosen.

(c) VACANCIES.—Any vacancy in the Committee shall not affects its powers, but shall be filled in the same manner as the original appointment.

(d) CHAIRMAN AND VICE CHAIRMAN.—The Committee shall select a Chairman and Vice Chairman from among its members.

(e) QUORUM.—A majority of the members of the Committee shall constitute a quorum, but a lesser number of members may hold hearings. The powers conferred upon them by section 4 may be exercised by a majority vote.

SEC. 3. DUTIES.

(a) IN GENERAL.—The Committee shall have the following duties:

(1) STUDY.—The Committee shall—

(A) research, review, and study Federal programs that are underperforming or nonessential; and

(B) determine which Federal programs should be modified or eliminated.

(2) RECOMMEND.—The Committee shall develop recommendations to the Senate for action designed to modify or eliminate underperforming or nonessential Federal programs.

(3) REPORT AND LEGISLATION.—The Committee shall submit to the Senate—

(A) at least once a year, reports including—

(i) a detailed statement of the findings and conclusions of the Committee; and

(ii) a list of underperforming or nonessential Federal programs; and

(B) such legislation and administrative actions as it considers appropriate.

(b) CONSIDERATION OF LEGISLATION.—Any legislation submitted to the Senate by the Committee shall be considered under the provisions of section 310 of the Congressional Budget Act of 1974 (2 U.S.C. 641).

SEC. 4. POWERS.

(a) HEARINGS.—The Committee or, at its direction, any subcommittee or member of the Committee, may, for the purpose of carrying out the provisions of section 3—

(1) sit and act, at any time, during the sessions, recesses, and adjourned periods of Congress;

(2) require as the Committee considers necessary, by subpoena or otherwise, the attendance of witnesses and the production of books, papers, and documents;

(3) administer oaths and take testimony; and

(4) procure necessary printing and binding.

(b) WITNESS ALLOWANCES AND FEES.—The provisions of section 1821 of title 28, United States Code, shall apply to witnesses requested to appear at any hearing of the Committee. The per diem and mileage allowances for witnesses shall be paid from funds available to pay the expenses of the Committee.

(c) EXPENDITURES.—The Committee, or any subcommittee thereof, is authorized to make such expenditures as it deems advisable.

SEC. 5. APPOINTMENT AND COMPENSATION OF STAFF.

Except as otherwise provided by law, the Committee shall have power to appoint and fix the compensation of the Chief of Staff of the Committee and such experts and clerical, stenographic, and other assistants as it deems advisable.

SEC. 6. PAYMENT OF EXPENSES.

The expenses of the Committee shall be paid from the contingent fund of the Senate.

Mr. HATCH. Mr. President, our Nation's fiscal situation has reached a tipping point. The debt held by the public now exceeds $9 trillion. We are now in our third year of trillion dollar deficits. According to the Congressional Budget Office, by the end of 2011, our debt will be $10.4 trillion. This represents 69 percent of GDP, the highest level since 1950.

The picture only gets uglier if you take into account other factors. Our total public debt outstanding is over $14 trillion. Moreover, if you assume that certain things that always happen will continue to happen things like the AMT patch, tax relief for families and businesses, and a ''doc-fix'' our debt will soon be nearly 100 percent of GDP.

This is, quite simply, unsustainable. If we do not act now to get a handle on this spending, the nation that gave boundless opportunity to generations of Americans will not be there for our children and grandchildren. With interest payments on all this debt set to grow from $225 billion in 2011 to $792 billion in 2021, we are approaching a fiscal death spiral.

Congress could go a long way simply by reducing wasteful and redundant government spending. Last week, in response to a request from my colleague from Oklahoma, Dr. COBURN, the Government Accountability Office released a report identifying between $100 and $200 billion in wasteful spending on redundant government programs alone.

Dr. COBURN has been doing yeoman's work burrowing into the federal budget to find the sources of wasteful spending, but getting this report from GAO

is, in my view, his greatest achievement to date. He has given Congress a roadmap for cuts that really should be no-brainers.

But Congress' record on securing cuts is less than stellar. Ronald Reagan once said that nothing comes closer to eternal life than a government program. Congress' committee structure is set up to authorize and reauthorize new programs. It is set up to appropriate money for those programs.

But there are few institutionalized forums in Congress for spending restraint.

That is why I am introducing today, with my colleague from Colorado, Senator MARK UDALL, a Senate Resolution that will create a Committee to Reduce Government Waste. After last week's GAO report, there is no longer any doubt that the Federal Government is deluged with wasteful, non-performing, and underperforming programs.

This committee would be required, every year, to identify wasteful government programs and recommend legislation to either cut them or reduce them in scope.

Most importantly, the consideration of this legislation would be expedited, subject to Section 310 of the Congressional Budget Act.

There is a precedent for a committee such as this one. In response to the rising costs of World War II, Senator Harry F. Byrd of Virginia proposed the establishment of a committee to cut wasteful programs instead of raising taxes. In just three years, the committee cut wasteful programs, resulting in more than $38 billion in today's dollars. Given the growth of government in the intervening 6 decades, I expect that our anti-appropriations committee will have an even easier time identifying wasteful spending and programs today.

This would be a truly bipartisan committee, with 4 members, 2 Republicans and 2 Democrats, from each of the Senate Finance, Budget, and Appropriations Committees.

Ultimately, getting our budget deficits and structural debt under control is going to take meaningful action from both sides of the aisle. This needs to be a bipartisan process, and I could not be more pleased that I am being joined in this effort by my Democratic colleague from Colorado, Senator UDALL.

The American people have spoken loud and clear. Every day families make tough choices to balance their books, and they expect Congress to do the same. Dozens of groups, representing millions of American taxpayers, have come together to ask Congress to support a committee devoted to eliminating government waste.

I look forward to working with my colleagues on enacting this resolution. Senators hear every day from interest groups seeking more money from the Federal Government. They are well organized, well financed, and well versed in the ways of the Senate. The committee we are proposing will make sure that the citizens who have to foot the bill for all of this government spending will have a venue where their concerns take precedence.

AMENDMENTS SUBMITTED AND PROPOSED

SA 152. Mr. REID of Nevada submitted an amendment intended to be proposed to amendment SA 143 proposed by Mr. REID of Nevada (for himself and Mr. ENSIGN) to the bill S. 23, to amend title 35, United States Code, to provide for patent reform.

SA 153. Mr. REID of Nevada submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 154. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 155. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 141 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill S. 23, supra; which was ordered to lie on the table.

SA 156. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 141 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill S. 23, supra; which was ordered to lie on the table.

SA 157. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 152. Mr. REID of Nevada submitted an amendment intended to be proposed to amendment SA 143 proposed by Mr. REID of Nevada (for himself and Mr. ENSIGN) to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; as follows:

On page 2 of the amendment, after line 11, add the following:

''(e) EFFECTIVE DATE.—Subsection (d) shall take effect 1 year and 1 day after the date of enactment of the Patent Reform Act of 2011.''.

SA 153. Mr. REID of Nevada submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. _____. PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN EPSCOR ELIGIBLE JURISDICTIONS.

Chapter 11 of title 35, United States Code, is further amended by inserting after section 123, the following:

''SEC. 124. EPSCOR.

''Notwithstanding any other provision of this chapter, for purposes of section 123, a micro entity shall include an applicant who certifies that—

''(1) the applicant's employer, from which the applicant obtains the majority of the applicant's income, is a State public institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), in a jurisdiction that is eligible to qualify under the Research Infrastructure Improvement Grant Program administered by the Office of Experimental Program to Stimulate Competitive Research (EPSCoR); or

''(2) the applicant has assigned, granted, conveyed, or is under an obligation by contract or law to assign, grant, or convey, a license or other ownership interest in the particular application to such State public institution, which is in a jurisdiction that is eligible to qualify under the Research Infrastructure Improvement Grant Program administered by the Office of Experimental Program to Stimulate Competitive Research (EPSCoR).''.

SA 154. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

At the end, add the following:

(e) EXCLUSION.—This section does not apply to that part of an invention that is a method, apparatus, computer program product, or system, that is used solely for preparing a tax or information return or other tax filing, including one that records, transmits, transfers, or organizes data related to such filing.

SA 155. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 141 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 1, line 3, beginning with ''shall not'' strike all through line 7, and insert ''does not apply to that part of an invention that is a method, apparatus, computer program product, or system, that is used solely for preparing a tax or information return or other tax filing, including one that records, transmits, transfers, or organizes data''.

SA 156. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 141 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill S. 23, to amend title 35, United States Code, to provide for patent reform; which was ordered to lie on the table; as follows:

On page 1, strike lines 3 through 8 and insert the following:

(e) EXCLUSION.—This section does not apply to that part of an invention that is a method, apparatus, computer program product, or system, that is used solely for preparing a tax or information return or other tax filing, including one that records, transmits, transfers, or organizes data related to such filing.

SA 157. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows: