

the President included in his package had bipartisan support. The Congressional Budget Office said the President's proposal would actually reduce the deficit and would create jobs. It has been validated by the outside experts. Marc Zandi, the chief economist at Moody's—he was also, by the way, the economic adviser to Senator McCAIN during the 2008 Presidential campaign—said, talking about the President's plan, "The plan would add 2 percentage points to GDP growth next year, add 1.9 million jobs, and cut the unemployment rate by a full percentage point."

There are many others. Macroeconomic Advisers said that the President's package would:

Boost the level of GDP by 1.3 percent by the end of 2012, and by 0.2 percent by the end of 2013—

In other words, we are moving in the right way; and then went on to say:

Raise nonfarm establishment employment by 1.3 million by the end of 2012 and 0.8 million by the end of 2013. . . .

The Economic Policy Institute estimates that the President's job bill would create 2.6 million jobs over 2 years and protect an existing 1.6 million jobs.

Republicans say we cannot even talk about this on the floor, the majority shouldn't at least be able to bring forward this issue so we can have a full debate in the Senate.

The President's proposals included areas in which I think there is strong bipartisan support—to help small businesses. We all know small businesses are the growth engine of America. That is where jobs are created. That is where most innovation will take place. The proposal would help small businesses with new hires on their payroll and expensing of investments so they have an incentive to invest in job growth. That is what was in the President's proposal to help small businesses.

In the President's proposal was help for our veterans. We all talk about our warriors, our soldiers, out there every day protecting our values. They have represented America so brilliantly in international combat. Now they are coming home to America. They are coming home and they cannot find work, cannot find a job. The President is saying let's help them. We all talk about doing what we can to help our warriors. This bill did something tangible about it.

What did the Republicans do? They filibustered an opportunity to even talk about a bill that could help create more jobs.

The proposal also provides for infrastructure. Infrastructure is building. It is rebuilding America. Democrats and Republicans agree on that. We have to rebuild our bridges and our roads. The bridges are falling down. Roads are in desperate need of repair. Roads help provide economic growth for our country. It would help us rebuild America, create jobs through those who construct these new roads and bridges and

electric grids, et cetera, but then also make America more competitive.

It would help those who are unemployed in several ways. First, it would provide not just unemployment benefits, which are important because they help families keep their homes and keep their family together and help our economy because that money is spent, it also reforms the unemployment system, so we train those who are out of work for jobs that are available. In many cases, as the Presiding Officer from Ohio knows, those who have lost their jobs are going to have to find employment in a different area. Well, the unemployment system should be reformed so that they could be trained for those types of jobs. That was in the proposal the Republicans would not even allow us to bring up. They filibustered rather than allow the majority to bring forward a bill to help create jobs.

The bill was paid for. As I have indicated before, it didn't increase the deficit. The Congressional Budget Office said it would actually reduce the deficit.

I want to make the point I made earlier and underscore this: The motion to proceed was the starting point for the debate—the starting point. I had three amendments I wanted to bring forward—I am going to talk very briefly about those three amendments—that I think would have improved the President's bill.

One would allow the Small Business Administration surety bond program—this is a program that gives small construction companies the ability to move forward with construction work. It would increase the surety bond program from \$2 million to \$5 million. It was an amendment I offered to the American Recovery and Reinvestment Act. Let me tell you about the success of that program. As a result of increasing the surety bonds from \$2 million to \$5 million, we saw a jump of 36 percent in 1 year, 2010, in construction work for small businesses. That is quite a success story. Guess how much money that cost the taxpayers of this country in direct costs. Zero, no cost to the taxpayer. Well, my amendment would make that extension permanent. And it is bipartisan—Democrats and Republicans support it.

I have another amendment that would expand the infrastructure work to include water projects. Water projects are in desperate need. We have a huge need to deal with the way we treat wastewater and our safe drinking water. My amendment would add \$30 billion for infrastructure in our water projects. It would provide \$20 billion to the Clean Water State Revolving Fund and \$10 billion to the Safe Drinking Water Act.

I would like to talk about one more amendment, which is the cool roof bill I filed with Senator CRAPO which would change the depreciation schedule for those businesses that put on modern roofs that are energy efficient and would create 40,000 jobs and help our

energy policy. This is another amendment I cannot bring forward because the Republicans filibustered the motion to proceed, so we can't bring up the jobs bill.

Well, Americans want us to consider jobs legislation. I hope we find a way to do it. I can tell you that I am going to continue the fight to create more jobs for America because that is America's future. Our economy depends upon it, and we need to continue to focus on how we can create more jobs for the American economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

#### HONORING OUR ARMED FORCES

MASTER SERGEANT CHRISTIAN RIEGE

Mr. JOHANNIS. Mr. President, I rise today to remember a fallen hero, U.S. Army National Guard Master Sergeant Christian Riege. He and two fellow officers were killed when a gunman opened fire at a Carson City International House of Pancakes on September 6, 2011. This was a tragic event. It ultimately took the lives of four people and left hollow hearts from Nevada to Nebraska, where his father and mother and several relatives live.

Master Sergeant Riege enlisted in the U.S. Navy in 1992. As a career non-commissioned officer, Chris spent much of his time in uniform training young soldiers. He entered the Nebraska National Guard after his service in the Navy. Like many National Guard NCOs, he held more than one military occupational specialty. With experience as an infantry soldier and knowledge of mechanics and supply logistics, Chris set the standard high for the soldiers he trained. He excelled in physical fitness, and he was a natural teacher. He served a 22-month deployment in Fort Irwin, California with the task of training units deploying for overseas contingency missions.

Chris most recently served with the 1st of the 221st Cavalry in Afghanistan, earning his combat spurs during this tour. The decorations and badges earned over his distinguished career include the Combat Action Badge, the Meritorious Unit Commendation with oak leaf cluster, the Legion of Merit, the Meritorious Service Medal with oak leaf cluster, the Army Commendation Medal, the Army Achievement Medal with four oak leaf clusters, the Armed Forces Expeditionary Medal, the Southwest Asia Service Medal, and the Afghanistan Campaign Medal with one campaign star.

Chris is remembered as a soft-spoken warrior with a love for fixing things.

A fellow soldier and friend, Master Sergeant Paul Kinsey, made reference to his demeanor:

You can't just label him with one word or one phrase. Still waters run deep.

The Riege family laid their soldier to rest in Page, Nebraska, on September 17, 2011. Today, I join the family and

friends of Master Sergeant Riege in mourning the death of their son, father, fiancé, friend, and fellow soldier. Nebraska is honored to call him one of our own, and I know both Nebraskans and Nevadans will surround his family during this very difficult time. As we honor this hero, may his children—Serrah, Erica, Synde, and Michael—always know the bravery with which their father served and the love he had for them.

May God bless the Riege family and all of our service men and women, both here and abroad.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. I ask that the order for the quorum call be rescinded.

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

#### RACIAL PROFILING

Mr. CARDIN. Mr. President, last week I introduced legislation in the Senate that would prohibit the use of racial profiling by Federal, State, or local law enforcement agencies. The End Racial Profiling Act, S. 1670, had been introduced in previous Congresses by our former colleague, Senator Russ Feingold of Wisconsin, and I am proud to follow his leadership. I thank my colleagues, Senator BLUMENTHAL, Senator DURBIN, Senator GILLIBRAND, Senator KERRY, Senator LAUTENBERG, Senator LEVIN, Senator MENENDEZ, Senator MIKULSKI, and Senator STABENOW, for joining me as original cosponsors of this legislation.

Racial profiling is ineffective. The more resources that are spent investigating individuals solely because of their race or religion, the fewer resources that are being directed at suspects actually demonstrating illegal behavior.

In response to a question about the December 2001 bomb attempt by Richard Reid, Former Department of Homeland Security Secretary Michael Chertoff stated:

The problem is that the profile many people think they have of what a terrorist is doesn't fit the reality . . . and, in fact, one of the things that the enemy does is to deliberately recruit people who are Western in background or in appearance, so that they can slip by people who might be stereotyping.

Racial profiling diverts scarce resources from real law enforcement. In my own State of Maryland in the 1990s, the ACLU brought a class action suit against the Maryland State Police for illegally targeting African-American motorists for stops and searches along Maryland's highways. The parties ultimately entered into a Federal court consent decree in 2003 in which they made a joint statement that emphasized in part:

The need to treat motorists of all races with respect, dignity, and fairness under law is fundamental to good police work and a just society. The parties agree that racial profiling is unlawful and undermines public safety by alienating communities.

Racial profiling demonizes entire communities and perpetuates negative stereotypes based on an individual's race, ethnicity, or religion.

I agree with Attorney General Holder's remark to the American-Arab Anti-Discrimination Committee where he stated:

In this Nation, security and liberty are—at their best—partners, not enemies, in ensuring safety and opportunity for all . . . In this Nation, the document that sets forth the supreme law of the land—the Constitution—is meant to empower, not exclude . . . Racial profiling is wrong. It can leave a lasting scar on communities and individuals. And it is, quite simply, bad policing—whatever city, whatever state.

Using racial profiling makes it less likely that certain affected communities will voluntarily cooperate with law enforcement and community policing efforts. Minorities living and working in these communities may also feel discouraged from traveling freely, and it corrodes the public trust in government.

I wish to thank the Leadership Conference on Civil and Human Rights for their endorsement of this legislation. I ask unanimous consent that the endorsement letter of September 14, 2011, from over 50 different organizations be printed in the RECORD.

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

THE LEADERSHIP CONFERENCE  
ON CIVIL AND HUMAN RIGHTS,  
Washington, DC, Sept. 14, 2011  
COSPONSOR THE END RACIAL PROFILING ACT  
OF 2011

DEAR SENATOR: on behalf of The Leadership Conference on Civil and Human Rights, and the undersigned groups, we urge you to be an original cosponsor of the End Racial Profiling Act of 2011 (ERPA). Passage of this bill is needed to put an end to racial profiling by law enforcement officials and to ensure that individuals are not prejudicially stopped, investigated, arrested, or detained based on their race, ethnicity, national origin, or religion. Policies primarily designed to impact certain groups are ineffective and often result in the destruction of civil liberties for everyone.

ERPA would establish a prohibition on racial profiling, enforceable by declaratory or injunctive relief. The legislation would mandate training for federal law enforcement officials on racial profiling issues. As a condition of receiving federal funding, state, local, and Indian tribal law enforcement agencies would be required to collect data on both routine and spontaneous investigatory activities. The Department of Justice would be authorized to provide grants to state and local law enforcement agencies for the development and implementation of best policing practices, such as early warning systems, technology integration, and other management protocols that discourage profiling. Lastly, this important legislation would require the Attorney General to issue periodic reports to Congress assessing the nature of any ongoing racial profiling.

Racial profiling involves the unwarranted screening of certain groups of people, as-

sumed by the police and other law enforcement agents to be predisposed to criminal behavior. Multiple studies have proven that racial profiling results in the misallocation of law enforcement resources and therefore a failure to identify actual crimes that are planned and committed. By relying on stereotypes rather than proven investigative procedures, the lives of innocent people are needlessly harmed by law enforcement agencies and officials.

Racial profiling results in a loss of trust and confidence in local, state, and federal law enforcement. Although most individuals are taught from an early age that the role of law enforcement is to fairly defend and guard communities from people who want to cause harm to others, this fundamental message is often contradicted when these same defenders are seen as unnecessarily and unjustifiably harassing innocent citizens. Criminal investigations are flawed and hindered because people and communities impacted by these stereotypes are less likely to cooperate with law enforcement agencies they have grown to mistrust. We can begin to reestablish trust in law enforcement if we act now.

Current federal law enforcement guidance and state laws provide incomplete solutions to the pervasive nationwide problem of racial profiling.

Your support for the End Racial Profiling Act of 2011 is critical to its passage. We urge you to become an original co-sponsor of this vital legislation, which will ensure that federal, state, and local law enforcement agencies are prohibited from impermissibly considering race, ethnicity, national origin, or religion in carrying out law enforcement activities. To become an original co-sponsor, please contact Bill Van Horne in Senator Cardin's office at [bill\\_vanhorne@cardin.senate.gov](mailto:bill_vanhorne@cardin.senate.gov) or (202) 224-4524. If you have any questions, please feel free to contact Lexer Quamie at (202) 466-3648 or Nancy Zirkin at (202) 263-2880. Thank you for your valued consideration of this critical legislation.

Sincerely,

Adhikaar; African American Ministers in Action; American-Arab Anti-Discrimination Committee; American Civil Liberties Union; American Humanist Association; Asian American Justice Center, member of Asian American Center for Advancing Justice; Asian Law Caucus; Asian Pacific American Labor Alliance; Bill of Rights Defense Committee; The Brennan Center for Justice; Counselors Helping (South) Asians Inc; Disciples Justice Action Network; Drug Policy Alliance.

DRUM—Desis Rising Up and Moving; Healing Communities Prison Ministry and Re-entry Project Human Rights Watch; Indo-American Center; Institute Justice Team, Sisters of Mercy of the Americas; Japanese American Citizens League; Korean American Resource & Cultural Center; Korean Resource Center; Lawyers' Committee for Civil Rights Under Law; The Leadership Conference on Civil and Human Rights; Lutheran Immigration and Refugee Service; Muslim Advocates; Muslim Public Affairs Council; NAACP; NAACP Legal Defense and Educational Fund, Inc.

National Advocacy Center of the Sisters of the Good Shepherd; National African American Drug Policy Coalition, Inc.—National Alliance of Faith and Justice; National Asian American Pacific Islander Mental Health Association; National Asian Pacific American Bar Association; National Asian Pacific American Women's Forum; National Association of Criminal Defense Lawyers; National Association of Social Workers; National Black Police Association; National Congress of American Indians; National