

SENATE CONCURRENT RESOLUTION 56—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 56

Resolved by the Senate (the House of Representatives concurring). That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, August 2, 2012, through Monday, August 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 57—EXPRESSING THE SENSE OF CONGRESS THAT THE CENSUS SURVEYS AND THE INFORMATION DERIVED FROM THOSE SURVEYS ARE CRUCIAL TO THE NATIONAL WELFARE

Mr. ROCKEFELLER submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 57

Whereas the American Community Survey (referred to in this preamble as the “ACS”) was launched in 2005 during the Administration of President George W. Bush and has since been funded by Congress as an innovation that the Bureau of the Census has been able to use in place of the decennial census long form;

Whereas the ACS provides the United States, States, counties, cities, towns, neighborhoods, and other areas with annual data that was formerly available only once every 10 years;

Whereas the Federal Government relies on the ACS—

(1) to produce annual population estimates for the United States, States, metropolitan areas, counties, cities, and other areas;

(2) to produce annual measures of total personal income and per capita income for the United States, States, metropolitan areas, and counties;

(3) to define metropolitan areas;

(4) to determine compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and

(5) to fairly distribute more than \$450,000,000,000 in Federal domestic assistance to States and other areas, including through the setting of the formulas for Federal reimbursement to States for Medicaid expenditures;

Whereas the ACS is the only source of rural and small-area economic and demographic data of sufficient reliability to allow entrepreneurs, business owners, and local government planners, among others, to make informed decisions on where to invest, build, create jobs, and maintain or improve infrastructure;

Whereas Congress requires the information collected through the ACS in order to provide adequate oversight of a substantial number of executive departments, agencies, and programs;

Whereas the citizens of the United States require the information collected through the ACS for each State and congressional district in order to hold their Members of Congress accountable;

Whereas, since the founding of the United States, Congress has recognized the value and mandated the use of the decennial census as a means to gather information that informs public policy and measures the progress of the United States;

Whereas the congressional tradition of the decennial census was initiated by the efforts of United States Representative James Madison, the “Father of the Constitution”, who argued on the floor of the House of Representatives that Congress, in considering the Act entitled “An Act providing for the enumeration of the Inhabitants of the United States” (commonly known as the “Census Act of 1790”; 1 Stat. 101, chapter 2), “had now an opportunity of obtaining the most useful information for those who should hereafter be called upon to legislate for their country if this bill was extended so as to embrace some other objects besides the bare enumeration of the inhabitants; it would enable them to adapt the public measures to the particular circumstances of the community. In order to know the various interests of the United States, it was necessary that the description of the several classes into which the community was divided, should be accurately known; on this knowledge the legislature might proceed to make a proper provision for the agricultural, commercial and manufacturing interests . . . in due proportion”;

Whereas Representative James Madison also said, “This kind of information all legislatures had wished for; but this kind of information had never been obtained in any country”; that he wished, therefore, “to avail himself of the present opportunity of accomplishing so valuable a purpose”; and “[i]f the plan was pursued in taking every future census, it would give [Congress] an opportunity of marking the progress of the society, and distinguishing the growth of every interest.”;

Whereas Vice President Thomas Jefferson, the “Father of the Declaration of Independence”, wrote Congress as president of the American Philosophical Society that the consideration by Congress of the Act entitled “An Act providing for the second Census or enumeration of the Inhabitants of the United States” (commonly known as the “Census Act of 1800”; 2 Stat. 11, chapter 12) offered “an occasion of great value, and not otherwise to be obtained, of ascertaining sundry facts highly important to society . . . [and] presenting a more detailed view of the inhabitants of the United States, under several different aspects,” including age (so as to be able to measure life expectancy), citizenship

(so as to be able to determine the relative contributions of births and immigration to population growth), and the occupation of free males (so as to be able “to ascertain more completely the causes which influence life and health, and furnish a curious and useful document of the distribution of society in these States, and of the conditions and vocations of our fellow-citizens . . .”);

Whereas diverse presidents throughout the 19th and 20th centuries, such as John Quincy Adams, Martin Van Buren, William McKinley, Herbert Hoover, and Franklin Roosevelt, asked for and received from Congress permission to expand the scope of census questions unrelated to enumeration;

Whereas the Economic Census is required by law to be conducted every 5 years, provides the most authoritative and comprehensive data about United States businesses, and provides the foundation for key economic indicators, such as the gross domestic product;

Whereas, in response to the recommendations of the Intensive Review Committee (also known as the “Watkins Commission”), Congress enacted the recommendations into law in 1954, thereby providing for quinquennial censuses of manufacturing, mineral industries, and other businesses;

Whereas the finding of the Watkins Commission that “[w]ithout these census records, it would not be possible to construct or interpret this system of economic indicators. Business executives, farmers, labor leaders, professional men, scholars, scientists, government officials, and administrators in all phases of our society are dependent on census records or on economic indicators based on census records.” is as true today as it was in 1954;

Whereas the Economic Census—

(1) provides the foundation for key annual, quarterly, and monthly Federal economic indicators, including the gross domestic product, industrial production, labor productivity, manufacturing and services industry activity, producer price indices, research and development expenditures, commodity flows, and employer-sponsored health insurance coverage;

(2) provides the basis for Federal macroeconomic and budget projections; and

(3) informs Federal trade, competitiveness, and entrepreneurship policies;

Whereas single firms rely on the Economic Census to compare their operations to industry averages, identify markets, and inform decisions on business location, capital investment, product research and development, and marketing strategies;

Whereas the information collected through the Economic Census affords the private and public sectors the ability to make good decisions and use resources in a way such that the entire country is more efficient and better able to compete in the world economy, thereby allowing the United States to maintain a high standard of living;

Whereas what is today called the Economic Census began as the “census of manufactures” in 1810;

Whereas the census of manufactures (as well as the census of agriculture) became a regular feature of census taking in 1840 and has remained such ever since;

Whereas household and business responses to census surveys allow national, State, and local officials to make informed decisions, just as James Madison envisioned, providing timely and accurate statistics even for small localities;

Whereas, historically, Congress has followed the precedent set by all previous Congresses in supporting and directing the collection of a range of information in the ACS and the Economic Census to guide its own deliberations and consideration of policies;

Whereas Federal courts have consistently upheld the constitutionality of including questions unrelated to enumeration in the decennial census and requiring answers to such questions; and

Whereas Congress has mandated and the Department of Commerce has successfully implemented strict protection of the confidentiality of responses: Now, therefore be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) encourages the people of the United States to fulfill their civic duty and follow the law by responding to all census surveys conducted by the Bureau of the Census; and

(2) strongly encourages the Bureau of the Census—

(A) to provide United States households and businesses with information regarding the community, economic, and fiscal benefits to be gained from participation in the American Community Survey and the Economic Census;

(B) to use the most current methodologies and technologies to reduce any burden of responding to the American Community Survey and the Economic Census; and

(C) to continue, as the Bureau of the Census has done throughout its history, to innovate its methods, processes, and products, and thus maintain the world-class standards that have made the Bureau of the Census an international leader among statistical agencies.

SENATE CONCURRENT RESOLUTION 58—DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 4240

Mr. KERRY submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 58

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 4240) an Act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes, the Clerk of the House of Representatives shall make the following correction: in section 7, insert “is amended” before “by striking”.

SENATE CONCURRENT RESOLUTION 59—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID (for himself and Mr. MCCONNELL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 59

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, August 2, 2012, through Tuesday, August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee motion to recess or adjourn, or until 2:00 noon on Monday, September 10, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any recess pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day from Thursday, August 2,

2012, through Tuesday, August 7, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, September 10, 2012, or until the time of any recess pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2771. Mr. COBURN proposed an amendment to the bill S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

SA 2772. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed by her to the bill S. 3326, supra; which was ordered to lie on the table.

SA 2773. Mr. REID (for Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. PAUL, and Mr. HATCH)) proposed an amendment to the bill S. 3245, to extend by 3 years the authorization of the EB-5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J-1 Visa Waiver Program.

SA 2774. Mr. REID (for Mr. LEAHY (for himself and Mr. GRASSLEY)) proposed an amendment to the bill S. 3245, supra.

SA 2775. Mr. REID (for Mr. COONS) proposed an amendment to the resolution S. Res. 402, condemning Joseph Kony and the Lord's Resistance Army for committing crimes against humanity and mass atrocities, and supporting ongoing efforts by the United States Government and governments in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield.

SA 2776. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, amend the title so as to read: “Commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the “Doolittle Tokyo Raiders” for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942.”.

SA 2777. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, supra.

SA 2778. Mr. REID (for Mr. BROWN of Ohio) proposed an amendment to the resolution S. Res. 418, supra.

SA 2779. Mr. REID (for Mr. WEBB (for himself, Mr. KERRY, Mr. LUGAR, Mr. INHOFE, Mr. LIEBERMAN, Mr. MCCAIN, and Mr. LEVIN)) proposed an amendment to the resolution S. Res. 524, reaffirming the strong support of the United States for the 2002 declaration of conduct of parties in the South China Sea among the member states of ASEAN and the

People's Republic of China, and for other purposes.

TEXT OF AMENDMENTS

SA 2771. Mr. COBURN proposed an amendment to the bill S. 3326, to amend the African Growth and Opportunity Act to extend the third-country fabric program and to add South Sudan to the list of countries eligible for designation under that Act, to make technical corrections to the Harmonized Tariff Schedule of the United States relating to the textile and apparel rules of origin for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. AMENDMENTS TO AFRICAN GROWTH AND OPPORTUNITY ACT.

(a) EXTENSION OF THIRD-COUNTRY FABRIC PROGRAM.—Section 112(c)(1) of the African Growth and Opportunity Act (19 U.S.C. 3721(c)(1)) is amended—

(1) in the paragraph heading, by striking “2012” and inserting “2015”;

(2) in subparagraph (A), by striking “2012” and inserting “2015”;

(3) in subparagraph (B)(ii), by striking “2012” and inserting “2015”.

(b) ADDITION OF SOUTH SUDAN.—Section 107 of that Act (19 U.S.C. 3706) is amended by inserting after “Republic of South Africa (South Africa).” the following:

“Republic of South Sudan (South Sudan).”.

(c) CONFORMING AMENDMENT.—Section 102(2) of that Act (19 U.S.C. 3701(2)) is amended by striking “48”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2. ELIMINATION OF UNNECESSARY DUPLICATION, REDUNDANCY, AND OVERLAP OF FEDERAL TRADE PROGRAMS.

Notwithstanding any other provision of law, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant Federal agencies—

(1) to, not later than 60 days after the date of the enactment of this Act, eliminate, consolidate, or streamline Federal programs and Federal agencies with duplicative or overlapping missions relating to trade;

(2) to, not later than September 30, 2012, rescind the unobligated balances of all amounts made available for fiscal year 2012 for programs relating to trade for the Department of Commerce, the Small Business Administration, the Export-Import Bank of the United States, the Overseas Private Investment Corporation, and the Trade and Development Agency, with the amounts rescinded to be deposited in the general fund of the Treasury for purposes of deficit reduction;

(3) to reduce spending on programs described in paragraph (2) by not less than \$192,000,000 in fiscal years 2012 and 2013 (including the amounts rescinded pursuant to paragraph (2)); and

(4) to report to Congress not later than 180 days after the date of the enactment of this Act with recommendations for any legislative changes required to further eliminate, consolidate, or streamline Federal programs and Federal agencies with duplicative or overlapping trade missions.