

for preference eligible veterans to appeal violations of their veterans' preference rights to the Department of Labor, the Merit Systems Protection Board, and Federal court. The Veterans Employment Opportunities Act also extended veterans' preference rights to reductions in force in the Federal Government.

It has come to my attention that, unfortunately, not all of our veterans have the ability to enforce their rights under the Veterans Employment Opportunities Act. Last year, in a case called *Morse v. Merit Systems Protection Board*, the United States Court of Appeals for the Federal Circuit ruled that preference eligible applicants and employees at the Federal Aviation Administration and the Transportation Security Administration are not covered by the Veterans Employment Opportunities Act, and thus do not have the same appeal rights as most other applicants and employees in the Federal Government. The court's ruling is puzzling because applicants and employees at both of these Federal agencies have veterans' preference rights under current Federal law, but it may reflect a drafting error in the Veterans Employment Opportunities Act. At a time when thousands of our servicemembers are returning home and seeking employment in the Federal Government, we must correct this unacceptable result.

Recently, our country observed the 10th anniversary of the tragic attacks of September 11, 2001. Since that horrific day, more than 5 million Americans have served in our military, with more than 2 million Americans serving in warzones. As these servicemembers return home, we must be mindful of our sacred commitment to assist those who serve our country and later seek employment in the Federal Government. Specifically, we must ensure that all of our federal agencies are honoring the sacrifice made by servicemembers and their families by complying with veterans' preference laws.

Accordingly, I am introducing legislation to correct the problem recently brought to light by the *Morse* decision by providing preference-eligible applicants and employees at the Federal Aviation Administration and the Transportation Security Administration with rights under the Veterans Employment Opportunities Act. I look forward to working with my colleagues to pass this important legislation, and more fully honoring the commitment of our Nation's veterans.

I urge my colleagues to support this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1859

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADMINISTRATIVE AND JUDICIAL REDRESS AND REMEDIES FOR PREFERENCE ELIGIBLES.

Section 3330a of title 5, United States Code, is amended by adding at the end the following:

“(f) For purposes of this section and sections 3330b and 3330c, the Federal Aviation Administration and the Transportation Security Administration are agencies. This section and sections 3330b and 3330c shall apply to any individual who is a preference eligible with respect to the Federal Aviation Administration and the Transportation Security Administration.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 320—DESIGNATING NOVEMBER 26, 2011, AS “SMALL BUSINESS SATURDAY” AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF THE VALUE OF LOCALLY OWNED SMALL BUSINESSES

Ms. LANDRIEU (for herself, Ms. SNOWE, Mr. KERRY, Mr. BROWN of Massachusetts, Mrs. HAGAN, Ms. AYOTTE, Ms. CANTWELL, Mr. ENZI, Mr. CARDIN, Mr. RISCH, Mr. PRYOR, Mrs. SHAHEEN, Mr. LIEBERMAN, Mr. CARPER, Mr. UDALL of New Mexico, Mr. MERKLEY, Mrs. BOXER, Mr. WYDEN, Mr. TESTER, Mr. BEGICH, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. WEBB, Ms. STABENOW, Mr. BOOZMAN, Mr. BARRASSO, Mr. LUGAR, Mr. ALEXANDER, Ms. COLLINS, Mr. KIRK, Ms. MURKOWSKI, Mr. ROBERTS, and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 320

Whereas small businesses represent 99.7 percent of all businesses having employees (commonly referred to as “employer firms”) in the United States;

Whereas small businesses employ ½ of the employees in the private sector in the United States;

Whereas small businesses pay 44 percent of the total payroll of the employees in the private sector in the United States;

Whereas small businesses are responsible for more than 50 percent of the private, non-farm product of the gross domestic product;

Whereas small businesses generated 65 percent of net new jobs during the last 17 years;

Whereas small businesses generate 60 to 80 percent of all new jobs annually;

Whereas small businesses focus on 2 key strategies: deepening relationships with customers and creating value for customers;

Whereas, for every \$100 spent with locally owned, independent stores, \$68 returns to the community through local taxes, payroll, and other expenditures;

Whereas 92 percent of consumers in the United States agree that the success of small businesses is critical to the overall economic health of the United States;

Whereas 93 percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue;

Whereas 91 percent of consumers in the United States have small businesses in their community that the consumers would miss if the small businesses closed;

Whereas 99 percent of consumers in the United States agree that it is important to support the small businesses in their community; and

Whereas 90 percent of consumers in the United States are willing to pledge support for a “buy local” movement: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 26, 2011, as “Small Business Saturday”; and

(2) supports efforts—

(A) to encourage consumers to shop locally; and

(B) to increase awareness of the value of locally owned small businesses and the impact of locally owned small businesses on the economy of the United States.

SENATE RESOLUTION 321—COMMEMORATING THE 50TH ANNIVERSARY OF THE FEDERAL EXECUTIVE BOARDS

Mr. AKAKA (for himself, Mr. INOUE, Mr. LEVIN, and Mr. BROWN of Massachusetts) submitted the following resolution; which was considered and agreed to:

S. RES. 321

Whereas the Federal Executive Boards were established through a presidential directive signed by President John F. Kennedy in 1961;

Whereas, the Federal Executive Boards increase effectiveness and economy of Federal agencies through coordination of local approaches to national programs and shared management needs;

Whereas, the Federal Executive Boards serve over 780,000 Federal civilian employees in 28 locations across the Nation;

Whereas, the Federal Executive Boards provide a forum for the exchange of information between Washington, D.C. and agencies in the field about programs, management methods, and administrative issues;

Whereas, the Federal Executive Boards improve the continuity of Government operations by facilitating planning and coordination among local Federal agencies;

Whereas, the Federal Executive Boards increase the efficiency of Federal spending through cost-avoidance on coordinated training and alternative dispute resolution programs;

Whereas, the Federal Executive Boards serve as the Federal point of contact for intergovernmental collaboration and community outreach in their locales;

Whereas commemorating the 50th anniversary of the Federal Executive Boards will recognize members and staff of Federal Executive Boards for their unyielding dedication and commitment to public service, as well as the Federal agencies whose support over the years has helped Federal Executive Boards provide Federal employees with low-cost training, emergency preparedness plans, and performance recognition through inter-agency awards events: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 50th anniversary of the Federal Executive Boards;

(2) commends the Federal Executive Boards for their unyielding dedication to the Federal community;

(3) encourages Federal leaders to continue support of, and participation in, activities of the Federal Executive Boards; and

(4) urges the people of the United States to observe the 50th anniversary of Federal Executive Boards with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 930. Ms. KLOBUCHAR submitted an amendment intended to be proposed to

amendment SA 927 proposed by Mr. REID (for Mr. TESTER (for himself, Mrs. MURRAY, Mr. BAUCUS, Ms. STABENOW, Mr. BROWN of Ohio, Mr. REID, Mr. AKAKA, Ms. CANTWELL, Mr. LEAHY, Mr. CASEY, Mr. COONS, Mr. MENENDEZ, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Mr. SANDERS, Mrs. SHAHEEN, Mr. BENNETT, Mr. WEBB, Mr. BEGICH, Ms. LANDRIEU, Mr. SCHUMER, and Mr. BROWN of Massachusetts)) to the bill H.R. 674, to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes; which was ordered to lie on the table.

SA 931. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 932. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 933. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 934. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 935. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 936. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 937. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 938. Mr. MORAN submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 939. Mr. BARRASSO (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 940. Mr. MCCONNELL (for Mr. MCCAIN (for himself, Mr. ROCKEFELLER, Mr. JOHANNES, Mr. BARRASSO, Mr. ENZI, Ms. MURKOWSKI, Mrs. MCCASKILL, Mr. BEGICH, Mr. COBURN, Mr. THUNE, Mr. BLUNT, and Mr. HELLER)) submitted an amendment intended to be proposed by Mr. MCCONNELL to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 941. Mr. UDALL of New Mexico (for himself, Mr. HELLER, Mr. BINGAMAN, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 942. Ms. CANTWELL (for Mr. WICKER) proposed an amendment to the bill S. 363, to authorize the Secretary of Commerce to convey property of the National Oceanic and Atmospheric Administration to the City of Pascagoula, Mississippi, and for other purposes.

SA 943. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 944. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 930. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 927 proposed by Mr. REID (for Mr. TESTER (for himself, Mrs. MURRAY, Mr. BAUCUS, Ms. STABENOW, Mr. BROWN of Ohio, Mr. REID, Mr. AKAKA, Ms. CANTWELL, Mr. LEAHY, Mr. CASEY, Mr. COONS, Mr. MENENDEZ, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Mr. SANDERS, Mrs. SHAHEEN, Mr. BENNETT, Mr. WEBB, Mr. BEGICH, Ms. LANDRIEU, Mr. SCHUMER, and Mr. BROWN of Massachusetts)) to the bill H.R. 674, to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. GRANTS FOR EMERGENCY MEDICAL SERVICES PERSONNEL TRAINING FOR VETERANS.

Section 330J(c)(8) of the Public Health Service Act (42 U.S.C. 254c-15(c)(8)) is amended by inserting before the period the following: “, including, as provided by the Secretary, may use funds to provide to military veterans required coursework and training that take into account, and are not duplicative of, previous medical coursework and training received when such veterans were active members of the Armed Forces, to enable such veterans to satisfy emergency medical services personnel certification requirements, as determined by the appropriate State regulatory entity”.

SA 931. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 88, between lines 19 and 20, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Internal Revenue Service to implement, enforce, or otherwise administer the medical device tax under section 4191 of the Internal Revenue Code of 1986.

SA 932. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 88, between lines 19 and 20, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Internal Revenue Service to implement, enforce, or otherwise administer the Federal employer

mandate under sections 1513 and 1514 and subsections (e), (f), and (g) of section 10106 of the Patient Protection and Affordable Care Act (Public Law 111-148) (and the amendments made by such sections and subsections).

SA 933. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 88, between lines 19 and 20, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Internal Revenue Service to implement, enforce, or otherwise administer the Federal employer mandate under sections 1513 and 1514 and subsections (e), (f), and (g) of section 10106 of the Patient Protection and Affordable Care Act (Public Law 111-148) (and the amendments made by such sections and subsections) without first receiving certification from the Bureau of Labor Statistics, in consultation with the Office of Management and Budget and the Chief Actuary of the Centers for Medicare and Medicaid Services, that this mandate will not lead to a decrease in private sector employment or wages.

SA 934. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 479, strike line 17 and all that follows through line 15 on page 480, and insert the following:

PROHIBITION

SEC. ____. None of the funds appropriated or otherwise made available by this Act for population planning activities or other population assistance may be made available to any foreign nongovernmental organization that promotes or performs abortion, except in cases of rape or incest or when the life of the mother would be endangered if the fetus were carried to term.

SA 935. Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Sec. ____. None of the funds appropriated or otherwise made available under this Act may be used on or after the date of enactment of this Act for performance-based compensation for senior executives at the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation (referred to collectively in this section as the “agencies”) during any period of conservatorship for the agencies, unless such compensation is based solely on—

(1) the achievement of a reduction in the exposure of the taxpayer to mortgage credit loss; and

(2) the reduction of mortgage credit exposure of the agencies.

SA 936. Mr. CORKER submitted an amendment intended to be proposed by