

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 37, as follows:

[Rollcall Vote No. 227 Ex.]

YEAS—49

|            |              |             |
|------------|--------------|-------------|
| Akaka      | Franken      | Murray      |
| Begich     | Gillibrand   | Nelson (FL) |
| Bennet     | Hagan        | Pryor       |
| Bingaman   | Harkin       | Reed        |
| Blumenthal | Inouye       | Rockefeller |
| Boxer      | Johnson (SD) | Sanders     |
| Brown (MA) | Kerry        | Schumer     |
| Brown (OH) | Klobuchar    | Shaheen     |
| Cantwell   | Kohl         | Stabenow    |
| Cardin     | Landrieu     | Tester      |
| Carper     | Lautenberg   | Udall (CO)  |
| Casey      | Leahy        | Udall (NM)  |
| Collins    | Levin        | Warner      |
| Conrad     | Lieberman    | Webb        |
| Coons      | Manchin      | Whitehouse  |
| Durbin     | McCaskill    |             |
| Feinstein  | Menendez     |             |

NAYS—37

|           |              |          |
|-----------|--------------|----------|
| Alexander | Hoeven       | Portman  |
| Ayotte    | Hutchison    | Reid     |
| Barrasso  | Inhofe       | Risch    |
| Boozman   | Isakson      | Roberts  |
| Chambliss | Johanns      | Rubio    |
| Coats     | Johnson (WI) | Sessions |
| Cochran   | Kyl          | Shelby   |
| Corker    | Lugar        | Snowe    |
| Crapo     | McCain       | Toomey   |
| DeMint    | McConnell    | Vitter   |
| Enzi      | Murkowski    | Wicker   |
| Grassley  | Nelson (NE)  |          |
| Hatch     | Paul         |          |

NOT VOTING—14

|        |         |          |
|--------|---------|----------|
| Baucus | Graham  | Mikulski |
| Blunt  | Heller  | Moran    |
| Burr   | Kirk    | Thune    |
| Coburn | Lee     | Wyden    |
| Cornyn | Merkley |          |

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 37. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Texas.

### RISK-BASED SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES ACT

Mrs. HUTCHISON. Mr. President, I come to the floor to discuss and pass the Risk-Based Security Screening for Members of the Armed Forces Act.

How many times have you been at an airport screening line, you are getting ready to go through the machines that are going to determine you are safe to travel and standing right there in the line is a man or woman in their military fighting gear—their camouflage and their combat boots—and they are having to take off their combat boots,

many times in their 2-week R&R period between their stints in Afghanistan or Iraq, and you think: Oh, my gosh. It is unbelievable that our military people—who are putting their lives on the line, who are sacrificing so much—are having to go through a procedure that does not have a commonsense feel about it.

Last week, Senator ROCKEFELLER, Senator BURR, and I introduced S. 1954, the Risk-Based Security Screening for Members of the Armed Forces Act. The bill was a modification of the House companion bill that was recently passed by Representative CRAVAACK from Minnesota in a unanimous decision by the House.

It requires the TSA, the Transportation Security Agency, to create a system to speed members of our uniformed services through airport security.

I would also like to thank Senators LIEBERMAN and COLLINS for their input on this piece of legislation. We have all worked hard to move this bill through quickly, and it is the House bill we will be taking up very shortly with the modifications I have mentioned.

The bill establishes a timeline for the Transportation Security Administration and the Department of Defense together to develop and implement a program to establish expedited security screening procedures for military personnel and their families.

I think we can all agree our military men and women make sacrifices for our Nation every day. The least we can do is try to make their lives a little easier when they travel around the country they defend.

I think they have earned the right to at least go to the head of the line or have some kind of trusted passenger status.

Our Armed Forces are comprised of over 1.4 million brave men and women. They are stationed at more than 6,000 military bases worldwide. For all the hardships they endure, I think they deserve to be at the front of the line in some kind of procedure that expedites their security clearance.

Airports, airlines, and TSA recognize this issue, and they want to reduce the delays. Currently, TSA uses the same screening protocols for all passengers.

The TSA has indicated that it would like to improve the process and to move forward to risk-based screening procedures. They certainly have my support and I know that of many Members, if not an overwhelming majority in Congress, to do that.

Mr. Pistole, the head of the Transportation Security Administration, has testified before our Commerce Committee about the risk-based screening procedures they are trying to put in place that will give them a better opportunity to target people who are more at risk or more under suspicion, while letting frequent flyers and people in the military go through on an expedited basis.

I would say the first identifiable group to get risk-based screening proc-

esses should be those who are fighting this war, those with boots on the ground. Members of our military and their families traveling on orders and in uniform should benefit from these new rules. In a time of limited resources, the establishment of procedures to expedite the screening of a pool of travelers who are most certainly our trusted travelers would better allow the TSA to focus their attention on areas of real threats.

Earlier this year, the House passed Congressman CRAVAACK's bill unanimously, just a couple of weeks ago. I hope our quick and unanimous action will allow the House to quickly reconsider the modified measure and get the bill signed into law as soon as possible.

As we are going into this traveling season—we have been through Thanksgiving, and we are now approaching Christmas. The bill is not going to be implemented by this season. They cannot do it in 2 weeks. But surely by the next holiday season, our trusted travelers, the members of our military and their families, will be able to have this expedited procedure. I hope that as they are traveling in this year's rush through the processes to get home to their loved ones, they will know we are working on something that will make their lives easier and expedite their travels while they are home on leave from fighting the war that is protecting our freedoms and our way of life.

Mr. President, I ask unanimous consent that the Committee on Commerce be discharged from further consideration of H.R. 1801 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 1801) to amend title 49, United States Code, to provide for expedited security screenings for members of the Armed Forces.

Without objection, the Senate proceeded to consider the bill.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, and I urge passage of the bill, as amended.

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

The amendment (No. 1458), in the nature of a substitute, was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Risk-Based Security Screening for Members of the Armed Forces Act".

#### SEC. 2. SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 44903 of title 49, United States Code, is amended by adding at the end the following:

“(m) SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES.—

“(1) IN GENERAL.—The Assistant Secretary of Homeland Security (Transportation Security Administration), in consultation with

the Department of Defense, shall develop and implement a plan to provide expedited security screening services for a member of the armed forces, and, to the extent possible, any accompanying family member, if the member of the armed forces, while in uniform, presents documentation indicating official orders for air transportation departing from a primary airport (as defined in section 47102).

“(2) PROTOCOLS.—In developing the plan, the Assistant Secretary shall consider—

“(A) leveraging existing security screening models used to reduce passenger wait times;

“(B) establishing standard guidelines for the screening of military uniform items, including combat boots; and

“(C) incorporating any new screening protocols into an existing trusted passenger program, as established pursuant to section 109(a)(3) of the Aviation and Transportation Security Act (49 U.S.C. 114 note), or into the development of any new credential or system that incorporates biometric technology and other applicable technologies to verify the identity of individuals traveling in air transportation.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall affect the authority of the Assistant Secretary to require additional screening of a member of the armed forces if intelligence or law enforcement information indicates that additional screening is necessary.

“(4) REPORT TO CONGRESS.—The Assistant Secretary shall submit to the appropriate committees of Congress a report on the implementation of the plan.”

(b) EFFECTIVE DATE.—Not later than 180 days after the date of enactment of this Act, the Assistant Secretary shall implement the plan required by this Act.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 1801), as amended, was read the third time and passed.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table and that any statements related to the measure be printed in the RECORD.

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

Mrs. HUTCHISON. I am very pleased we have been able to pass this bill for the expedited travel procedures for our military personnel. The TSA will have about 180 days working with the Department of Defense to get procedures in place to do this.

I hope our military people, wherever they are in the world, know how much America appreciates their service. We know they are fighting for our way of life to prevail for our children and future generations.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Ohio.

Mr. BROWN of Ohio. I echo the words of the senior Senator from Texas in support of our men and women who might be home on leave, might have been sent somewhere on Active Duty, that this is the least we can do.

#### MORNING BUSINESS

Mr. BROWN of OHIO. Mr. President, I ask unanimous consent that the Sen-

ate proceed to a period of morning business until 7:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

#### CHINA POLICY

Mr. BROWN of Ohio. Mr. President, 10 years ago this month—10 years ago actually tomorrow, I believe—the People’s Republic of China officially joined the World Trade Organization. American businesses, we were told, would gain new access to Chinese markets through the removal of trade barriers, through increased transparency, through more stringent protection of intellectual property rights.

China promised to follow the rule of law, to reform its legal system, and, in turn, would gain new access to global markets. At the time of joining the World Trade Organization, China made a number of promises. Chinese leaders pledged to reduce trade barriers and open markets. They promised to increase transparency, protect intellectual property rights, and reform their legal system.

Supporters of the People’s Republic of China, including a strong majority, unfortunately, of Members of this body and a much thinner majority in the House of Representatives—other supporters of the People’s Republic of China were most of America’s, almost all of America’s largest corporate CEOs—argued that the WTO membership would bring human rights and freedom and the rule of law to China.

Now 10 years later we see a very different picture, a picture of a number of Members of the House in those days and some Members of the Senate and some opponents to allowing China into the World Trade Organization. We have seen something very different. American workers have seen millions of jobs shipped to China. Factories in places such as Youngstown and Charleston and Huntington and Dayton have moved to Wuhan and Shenzhen and Shanghai, with final products sold back to the United States.

Think about this. The business plan of a number of American corporations is to shut down production in Mansfield, OH, and in Zanesville, OH, and move that production to Beijing, China, set up companies there, and ship products back to the United States. To my knowledge, never in history has there been a country where such a huge number of companies have set up that business plan. Think about that—shut down production in the country where you are located, lay off workers who have made you a successful company, hurt a community by closing down that plant, doing terrible damage to the schools, to the police departments, to the city services and all of that, and move your production to another country because you can work there more cheaply and sell products back to the United States. To my knowledge—and I

could be mistaken about this, but nobody has ever shown me otherwise—to my knowledge, never in world history has that been the business plan for so many companies.

American manufacturers that stay here have been undermined by a flood of cheap Chinese imports priced artificially low.

When a large corporation moves to China, so often that corporation’s supply chain—the tool and die shop, tool and die maker, a machine shop—a small manufacturer that makes components and that sells to the larger company does not have the wherewithal to follow it to China, so they lose one of their biggest customers.

Those American manufacturers that stay here have been undermined by a flood of cheap Chinese imports priced artificially low. Some of those Chinese imports came from American companies that moved overseas to China.

Chinese citizens so often face poor work conditions, continual human rights violations. The country’s sole Nobel Peace Prize winner is languishing in prison.

The big winners? The big winners are the multinational corporations here that have outsourced jobs, and the other big winner is the Chinese Communist Government and the apparatchiks they have enriched. Think about that. The big winners in this China trade policy are large American corporations that have outsourced jobs to China and the Chinese Communist Party, which apparently seems to be their allies in this, and the people in the Chinese Communist Party, the high-ranking apparatchiks.

So while American companies that stay here and American workers are following World Trade Organization rules intended to provide a common set of laws to ensure a level playing field for global trade, the Chinese are gaming the system. It is clear that China does not live up to its promises, does not live up to the unrealistic expectations of its supporters.

Far from becoming freer, the Chinese people are burdened with limited rights to basic freedoms of speech, religion, and assembly. I can’t count the number of CEOs whom I saw walk the Halls—I was in the House of Representatives—of Congress and say: You know, if we pass PNTR, we are going to see freedom, all of this capitalism in China. All of these jobs in China are going to bring freedom—freedom of speech, freedom of religion, freedom of assembly in China.

No, it has enriched the country of China, to be sure. It has especially enriched the Communist Party, enriched the People’s Liberation Army, enriched some of the capitalists in China in this Communist Party system. And it is getting worse. From the harsh crackdown on human rights lawyers and activists after the Arab Spring in the Middle East, to the brutal policies in Tibet that have led to a recent wave of self-immolations—imagine the depth of