The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. EDWARDS of Maryland).

DESIGNATION OF SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, June 28, 2010.
I hereby appoint the Honorable DONNA F. EDWARDS to act as Speaker pro tempore on this day.

NANCY PELOSI, Speaker of the House of Representatives.

MORNING-HOUR DEBATE
The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS
The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.
Accordingly (at 12 o’clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.
Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HONORING STATE TROOPER WESLEY BROWN
(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)
Mr. HOYER. Mr. Speaker, I rise to honor the memory of one of Maryland’s finest, a member of our Maryland State Police, Maryland State Trooper Wesley Brown, who was shot to death without warning while working on an off-duty security detail in the early morning of June 11. He was 24 years of age.

Though his life was cut far too short, Trooper Brown filled the years he was given with service to his community, mentoring young men, and love for his family.
It wasn’t enough for Wesley to serve as a decorated State Trooper for more than 3 years. He also founded an organization called “Young Men Enlightening Younger Men,” a group dedicated to teaching life and leadership skills to boys in Wesley’s Seat Pleasant neighborhood, just a couple of miles from where I grew up in District Heights, Maryland.

Many of them came to regard Trooper Brown as a father figure. “I became a squared-away young man,” said one of the pupils at his memorial service, “and I’ll never forget that smile.”
Wesley Brown’s death was sudden and deeply unfair, but his community is better because he lived, and the seeds he sowed will outlive him. As the pastor said in Wesley’s eulogy, “He showed us how to serve his brother man, and no one had to beg him to do it.”
May all of those whom Trooper Brown left behind—his mother, Patricia Bell; his father, Sylvester Brown, Sr.; his fiancée, Ebony Norris; his seven brothers and sisters; and his grandmother, Rosella Bell—find comfort in the memory of his service and the greatness of his contribution to other young people.
We are protected every day by those who have the courage and commitment and love of country and neighbors to defend us here, our domestic defenders. Wesley Brown was one of those. God bless his soul.
CAROLINA DAY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, today all across South Carolina, residents are celebrating Carolina Day to commemorate the brave South Carolina patriots who defeated the British fleet on June 28, 1776, promoting American independence.

This victory saved Charleston from British occupation for another 4 years. It occurred at the first fort on Sullivan’s Island, named after the commander, Colonel William Moultrie. The battle at Fort Moultrie is known as the first decisive victory by American Revolutionaries.

This battle is just one example of the direct role South Carolina played in the Revolutionary War. Throughout the War for Independence, more than 200 battles and engagements took place in South Carolina, more than any other province.

One of the most symbols of South Carolina’s leadership in the Revolution is still seen today throughout the world: the yellow Gadsden Flag that reads, “Don’t Tread on Me.”

In 1775, Colonel Christopher Gadsden was representing South Carolina in the Continental Congress as five companies of Marines were about to join the Navy to intercept British ships. History has recorded that Colonel Gadsden presented his flag to the new commander, Commodore Esek Hopkins, before this critical mission.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

Best wishes to the USC Gamecocks in the College World Series tonight at Omaha, Nebraska.

BRING OUR TROOPS HOME

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. In a little more than a year, the United States flew $12 billion in cash to Iraq, much of it in hundred dollar bills, shrinkwrapped, loaded onto pallets, Vanity Fair reported in 2004 that at least $9 billion of the cash had gone missing, unaccounted for.

Today, we learned that suitcases of $3 billion in cash have openly moved through the Kabul airport. One U.S. official quoted by the Wall Street Journal said, “A lot of this looks like our tax dollars being stolen.” Three billion dollars. Consider this step as the American people sweat out extension of unemployment benefits.

Last week, the BBC reported that the U.S. military has been giving tens of millions of dollars to Afghan security firms along the lines of warlords. Add to that a corrupt Afghan government, underwritten by the lives of our troops. And now reports indicate that Congress is preparing to attach $10 billion in State education funding to a $33 billion spending bill to keep the war going.

Back home millions of Americans are out of work, losing their homes, losing their savings, their pensions, their retirements. They are losing our Nation to lies about the necessity of war. Bring our troops home. End the war. Secure our economy.

NORTH KOREA

(Mr. DJOU asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DJOU. Mr. Speaker, I address the House this afternoon to remind our Nation of what has happened in the last 48 hours: The discussion of the Korean Peninsula has great impact and meaning upon our Nation as a whole.

I represent a congressional district that lies within the flight arc of North Korea’s ballistic missiles. I am troubled by the report this morning in the Washington Post that the Korean Workers’ Party in North Korea is trying to manage a dynastic transfer of its dictatorship from Kim Jong II to his son, and I believe the United States must redouble its efforts to change this regime and establish a democratic and united Korea.

But I am also encouraged by the opportunity which has happened this past weekend and compliment President Obama for committing to a free trade agreement between the United States and South Korea.

Now is the time for us to further cement our bonds and our relationships between the United States and South Korea and make sure that we change the dictatorship in North Korea for the benefit of our Nation and the world as a whole.

CONGRATULATING STANLEY CUP CHAMPION CHICAGO BLACKHAWKS

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BIGGERT. Mr. Speaker, I rise to congratulate the 2010 Stanley Cup Champions, the Chicago Blackhawks.

Founded in 1926, the Blackhawks are one of the National Hockey League’s organizational six teams. The team has had a remarkable history, but this past season was very, very special.

On April 6, the Hawks won their 50th game of the season setting a new franchise record for wins in a season. During a game the very next night, they scored their 109th point of the season, setting yet another franchise record.

The Hawks made the playoffs for the second season in a row this year with a record of 52-22-6. They went on to defeat the Nashville Predators in the first round of the Stanley Cup, then the Vancouver Canucks, and the San Jose Sharks before facing the Philadelphia Flyers in the final round. In a tense game 6, the Hawks defeated the Flyers when Patrick Kane scored the game-winning Cup-clinching goal in sudden death overtime, marking the team’s fourth Stanley Cup Championship—their first since 1961.

As the world entered during the Chicago parade in their honor, the city’s sports fans moved past their long-time baseball rivalries and came together in support of the Blackhawks.

Mr. Speaker, I would like to congratulate the Blackhawks for their title and thank them on behalf of sports fans all over the metropolitan Chicago area for their contribution in making Chicago the dynamic sports city that it is.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules over a record of the yeas and nays, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6 p.m. today.

RECOGNIZING THE NATIONAL COLLEGIATE CYBER DEFENSE COMPETITION

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1244) recognizing the National Collegiate Cyber Defense Competition for its now five-year effort to promote cyber security curriculum in institutions of higher learning, as amended.

The Clerk read the title of the resolution. The text of the resolution is as follows:

H. RES. 1244

Whereas, on February 27, 2004, and February 28, 2004, a group of educators, students, and government and industry representatives gathered in San Antonio, Texas, to gauge the interest in and support for the establishment of regular cyber security exercises for postsecondary students.

Whereas stakeholders in the cyber security profession sought to create a cyber security exercise template for universities nationwide.

Whereas the mission of the CCDC system is to encourage educational institutions to offer students practical experience in information assurance;

Whereas in an effort to develop a regular, national-level cyber security exercise, the Center for Infrastructure Assurance and Security at the University of Texas at San Antonio agreed to host the first Collegiate Cyber Defense Competition (CCDC) for the Southwestern region in April 2005;

Whereas the mission of the CCDC system is to provide institutions with an information assurance or computer security curriculum in a controlled, competitive environment to assess the student’s depth of understanding and operational competency in managing the challenges inherent in protecting corporate network infrastructure and business information systems;
Although the CCDC has attracted participation from institutions of higher education from across the United States,

whereas 2010 regional competition hosts include Towson University, DePaul University, Montana Tech of the University of Montana, Northeastern University, University of Washington, Texas A&M University, University of Louisville, and California State Polytechnic University, Pomona; and

whereas the furtherance and development of cyber security academic programs in institutions of higher education will help meet the rapidly growing demand for cyber security specialists in the public and private sectors:

Therefore be it

Resolved, That the House of Representatives recognizes the National Collegiate Cyber Defense Competition for its five-year effort to promote cyber security curriculum in institutions of higher learning.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 1244 into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Ms. HIRONO. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 1244, which recognizes the National Collegiate Cyber Defense Competition for its five-year effort to promote cyber security curriculum in institutions of higher education. Their dedication and commitment to cyber security instruction serves an important purpose as computer and Internet software continue their vital role in our digital world.

In February of 2004, a group of educators, students, and government and industry representatives in cyber defense gathered in San Antonio, Texas, to address the growing need for cyber security education for post-secondary students. Participants understood the growing importance of, and the world’s increasing reliance, on computer and Internet software, as well as the national security interest in protecting this vital infrastructure. From the gathering in San Antonio, the Collegiate Cyber Defense Competition was born.

The competition provides students the opportunity to improve their understanding and operational competency in protecting corporate network infrastructure and business information systems. For the past five years, the competition has offered computer security curriculum to students at institutions of higher education across the United States.

Many teams participated in this year’s regional competition with winners including Towson University, DePaul University, Montana Tech, Northeastern University, University of Washington, Texas A&M University, University of Louisville, and California State Polytechnic University at Pomona. Students from these universities learned many skills and their education will help meet the rapidly growing demand for cyber security specialists in the public and private sectors.

Mr. Speaker, I want to thank Representative RODRIGUEZ for introducing this resolution.

Once again, I express my support for House Resolution 1244, which recognizes the importance of the National Collegiate Cyber Defense Competition and its contribution to our nation’s cyber security curriculum.

I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mrs. BIGGERT. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 1244, recognizing the National Collegiate Cyber Defense Competition for its five-year effort to promote cyber security curriculum in institutions of higher education.

In April of 2005, the University of Texas at San Antonio held the first Collegiate Cyber Defense Competition, or CCDC, for the Southwestern region. The CCDC focuses on the operational aspects of managing and protecting an existing network’s infrastructure. Teams acquire points based on their ability to defend their operational environment and network from outside threats, to maintain availability of existing services such as mail servers and Web servers, to respond to business requests such as the addition or removal of additional services, and to balance cyber security needs against business needs.

The mission of CCDC is to provide a controlled, competitive environment to assess a student’s understanding and competency in managing the challenges inherent in protecting a corporate network or business information system. The competition is supported by members of the cyber security industry and by organizations that understand the importance of innovation in the field of cyber security.

The 2010 winner of the Collegiate Cyber Defense Competition was Northeastern University.

I urge my colleagues to join me in applauding this significant achievement, and I reserve the balance of my time.

Ms. HIRONO. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Texas (Mr. RODRIGUEZ).

Mr. RODRIGUEZ. Thank you for allowing me this opportunity to say a few words on cyber security in this particular exercise done by universities.

Mr. Speaker, I rise in support of H. Res. 1244, recognizing the National Collegiate Cyber Defense Competition for its now 5-year effort to promote cyber security curriculum in institutions of higher education.

The Cyber Collegiate Defense Competition is a 3-day event and is the first competition of its kind that focuses on the operational aspect of managing and protecting an existing commercial network infrastructure. Students get a chance to test their knowledge in an operational environment and network within industry professionals who are always on the lookout for up-and-coming engineers.

On February 27 and 28 of 2004, a group of educators and student representatives and industry representatives gathered in San Antonio, Texas, to discuss the feasibility and desirability of establishing such a program—this particular regular cyber security exercise with a uniformed structure for postsecondary-level students.

The Center for Infrastructure Assurance and Security at the University of Texas at San Antonio agreed to host the first Collegiate Cyber Defense Competition for the Southwestern region in April of 2005. The University of Texas at San Antonio is the National Center of Academic Excellence in Information Assurance Education by the National Security Agency and by the Department of Homeland Security.

The University of Texas at San Antonio is in my district, and I have been continually impressed with their pioneering approach to cyber security curricula. They have outstanding faculty and staff, all of whom recognize how important information assurance is becoming in the 21st century.

This year’s regional winners included Towson University, DePaul University, Montana Tech, Northeastern University, the University of Washington, Texas A&M University, the University of Louisville, and the California State Polytechnic University at Pomona.

I am also honored and privileged to have attended this year’s competition and previous events and to have personally heard and expressed my congratulations to the winners from Northeastern University, the champions of the national competition.

Let me just add that it is exciting to see these young people engage in this competition. We are hoping that, as we move forward, this will grow and allow other universities to participate and get engaged as these are the young- sters, in the words of some of them who describe themselves, who are the geek warriors who defend our infrastructure throughout our country and throughout the world. It was really exciting to see them not only in the competition but to see them participating. We have
these unique individuals who are extremely brilliant, who are out there doing a wonderful job, not only for the private sector but for the public sector.

In conclusion, I just want to believe that the National Collegiate Cyber Defense Competition is poised to expand and grow as cyber security becomes increasingly important for the public and the private sectors throughout the country and throughout the world. I hope this body will continue its strong work in supporting the cyber security professional and helping us as we are providing the resources to train the next generation of cyber security professionals.

I want to take this opportunity to thank the chairwoman for allowing this particular legislation of recognition to come forward. Thank you very much.

Mrs. BIGGERT. Mr. Speaker, I urge the support of this resolution. I have no further requests for time, and I yield back the balance of my time.

Ms. HIRONO. Once again, I would like to encourage all of my colleagues to support H. Res. 124, the National Collegiate Cyber Defense Competition, and I congratulate all of the participants and the winners of this very important competition. I yield back the balance of my time.

The SPEAKER pro tempore. The question was taken.

The Chair recognizes the gentlewoman from Hawaii (Ms. HIRONO) to proceed in the affirmative.

Ms. HIRONO. Mr. Speaker, on that I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 284, which recognizes the immense contributions of America’s special education teachers. So I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mrs. BIGGERT. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Concurrent Resolution 284, recognizing the work and importance of special education teachers.

Special education teachers work with children and youth who are facing a variety of disabilities. Some special education teachers work with students with severe cognitive, emotional or physical disabilities, primarily teaching them life skills and basic literacy.

Many special education teachers work with children with mild to moderate disabilities, using or modifying the general education curriculum to meet a child’s individual needs and providing required remedial instruction.

These gifted educators work with students who are struggling with speech or language impairments, intellectual disabilities, autism, combined deafness and blindness, traumatic brain injury, and many other health impairments.

Special education teachers design and teach appropriate curricula, assign work geared toward each student’s needs and abilities, and, of course, grade papers and homework assignments. They are involved in a student’s behavioral, social and academic development, helping each student to develop emotionally and to interact effectively in social situations. Preparing special education students for

Whereas there are over 370,000 highly qualified special education teachers in the United States;

Whereas the work of special education teachers requires the ability to interact with those with many different disabilities, hearing impairments, speech or language impairments, orthopedic impairments, visual impairments, autism, combined deafness and blindness, traumatic brain injury, and other health impairments;

Whereas special education teachers are dedicated, possess the ability to understand and develop a diverse group of students’ needs, and have the capacity to be innovative in their teaching methods for their unique group of students and understand the differences of the children in their care;

Whereas special education teachers must have the ability to interact and coordinate with a child’s parents or legal guardians, social workers, school psychologists, occupational and physical therapists, and school administrators, as well as other educators to provide the best quality education for their students;

Whereas special education teachers help to develop an individualized education program for every student based on the student’s needs and abilities; and

Whereas these unique individuals dedicate themselves so special education students are prepared for daily life after graduation: Now, therefore, be it

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

(1) recognizes the amount of work it requires to be a special education teacher; and

(2) commends special education teachers for their sacrifice and dedication while providing the quality of life skills to individuals with special needs.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

WHEREAS,

Ms. HIRONO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Concurrent Resolution 284 into the RECORD.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING SPECIAL EDUCATION TEACHERS

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 284) recognizing the work and importance of special education teachers, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. Con. Res. 284

Whereas, in 1972, the United States Supreme Court held that children with disabilities have the same right to receive a quality education in the public schools as their non-disabled peers and, in 1975, the United States Congress passed Public Law 94-142 guaranteeing students with disabilities the right to a free appropriate public education;

Whereas, according to the Department of Education, approximately 6,600,000 children (roughly 13 percent of all school-aged children) receive special education services;
daily life after graduation is also an important aspect of the job. Special education teachers help general educators adapt curriculum materials and teaching techniques to meet the needs of students with disabilities. They coordinate the efforts of teachers, teachers' aids, and related personnel, such as therapists and social workers, to meet the individualized needs of the student within inclusive special education programs.

Whether teaching a class of special education students or working with individual students in a general classroom, special education teachers ensure that all students have access to a quality education. Today, we salute them for their commitment and dedication.

I support this resolution, and I ask my colleagues to do the same.

I yield back the balance of my time.

Ms. HIRONO. Mr. Speaker, in closing, among the cadre of our educators all across this country who deserve our thanks and recognition, our special education teachers occupy a particularly special place.

I urge my colleagues to support this resolution.

Mr. SESSIONS. Mr. Speaker, it gives me great pleasure to discuss H. Con. Res. 284, legislation to recognize the work and importance of special education teachers in America.

In 1972, the United States Supreme Court ruled that children with disabilities have the right to the same quality public school education as their nondisabled peers. To fulfill this promise, in 1975 the United States Congress passed the Education of All Handicapped Children Act (EHA), which we now know as the Individuals with Disabilities Education Act or IDEA, guaranteeing students with disabilities the right to a quality and appropriate public education.

It has been almost 40 years that children with special needs were granted the right and opportunity to obtain an education equal to every other child’s in our country.

IDEA provides these individuals the opportunity to improve their quality of life through education while translating that to job skills in the real world.

Speaking as the parent of a child with special needs, I will always be grateful and indebted to the individuals we are honoring in today’s resolution. They have dedicated their lives to improving the education of those students who begin with an intellectual or physical disadvantage than their peers.

According to the Department of Education, approximately 6,600,000 children receive special education services; this is about 13 percent of our Pre-K, Elementary & Secondary students.

Mr. Speaker, teachers like Sunni McAsey deserve to be recognized for their hard work and dedication to educating our youth.

This resolution is the first of its kind in Congress to recognize the dedication and hard work that these educators put into their jobs, day in and day out.

My colleagues on both sides of the aisle recognize the importance of these teachers and their everyday work.

We are approaching almost 40 years in which children with special needs were given the right to obtain the same quality education as their non-disabled peers, and it’s time we honored those providing that education.

I ask all of my colleagues to support this resolution that recognizes the hard work and importance of special education teachers in America.

Mr. HIRONO. I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.
"(6) The District of Columbia National Guard has been experiencing a disproportionate decline in force in comparison to the National Guard of Maryland and Virginia. "(7) Maryland and Virginia provide additional recruiting and retention incentives, such as educational benefits, in order to maintain their force, and their National Guard will experience increased competition to the District of Columbia at a rate that places at risk the maintenance of the necessary force levels for the District of Columbia National Guard. 

"(8) Funds for an educational benefit for members of the District of Columbia National Guard would provide an incentive to help prevent the loss of members to nearby National Guard units and will help maintain and increase the necessary District of Columbia National Guard personnel."

"SEC. 202. DISTRICT OF COLUMBIA NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM. "(a) EDUCATIONAL ASSISTANCE PROGRAM AUTHORIZED.—The Mayor of the District of Columbia, in coordination with the commanding general of the District of Columbia National Guard, shall establish a program under which the Mayor may provide financial assistance to eligible members of the District of Columbia National Guard to assist the member in covering expenses incurred by the member while enrolled in an approved educational institution of higher education to pursue the member’s first undergraduate, masters, vocational, or technical degree or certification. 

"(b) ELIGIBILITY.— 

"(1) CRITERIA.—A member of the District of Columbia National Guard is eligible to receive assistance under the program established under this title if the commanding general of the District of Columbia National Guard certifies to the Mayor the following: 

"(A) be satisfactorily performing duty in the District of Columbia National Guard for a period of not less than 6 years. 

"(C) The member is not receiving a Reserve Officer Training Corps scholarship. 

"(2) ELIGIBILITY .—To continue to be eligible for financial assistance under the program, a member of the District of Columbia National Guard must: 

"(A) be satisfyingly performing duty in the District of Columbia National Guard in accordance with regulations of the National Guard (as certified to the Mayor by the commanding general of the District of Columbia National Guard); 

"(B) be enrolled on a full-time or part-time basis in an approved institution of higher education on leave or pay status; 

"(C) maintain satisfactory progress in the course of study the member is pursuing, determined in accordance with section 8846(c) of the Higher Education Act of 1965 (20 U.S.C. 1091(c))." 

"SEC. 203. TREATMENT OF ASSISTANCE PROVIDED TO DISTRICT OF COLUMBIA NATIONAL GUARD. "(a) PERMITTED USE OF FUNDS.—Financial assistance received by a member of the District of Columbia National Guard under the program under this title may be used to cover— 

"(1) tuition and fees charged by an approved institution of higher education involving attendance; 

"(2) the cost of books; and 

"(3) laboratory expenses.

"(b) AMOUNT OF ASSISTANCE.—The amount of financial assistance provided to a member of the District of Columbia National Guard under the program may be up to $400 per fiscal year or $400 per academic year, whichever is less. If the Mayor determines that the amount available to provide assistance under this title in any year will be insufficient, the Mayor may reduce the maximum amount of financial assistance authorized, or set a limit on the number of participants, to ensure that amounts expended do not exceed available amounts.

"(c) RELATION TO OTHER ASSISTANCE.—Except as provided in section 202(b)(1)(C), a member of the District of Columbia National Guard certifying to the Mayor the following: 

"(1) FUNDING.— 

"(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the District of Columbia such sums as may be necessary to enable the Mayor to provide financial assistance under the program. Funds appropriated pursuant to this authorization of appropriations shall remain available until expended. 

"(2) TRANSFER OF FUNDS.—The Mayor may accept the transfer of funds from Federal agencies for purposes of providing assistance under the program. There is authorized to be appropriated to the Mayor to permit the transfer of funds to the Mayor for providing financial assistance under this section. 

"(3) LIMIT.—The aggregate amount authorized to be appropriated under paragraphs (1) and (2) for a fiscal year may not exceed— 

"(A) for fiscal year 2011, $760,000; and 

"(B) for each succeeding fiscal year, the limit applicable under this paragraph for the previous fiscal year, adjusted by the tuition inflation index used for the year by the Secretary of Veterans Affairs for education benefits under section 2015(h)(1) of title 38, United States Code."

"(c) ACCEPTANCE OF DONATIONS.—The Mayor may accept, use, and dispose of donations of services or property for purposes of providing assistance under the program."

"SEC. 205. DEFINITION.—In this title, the term ‘approved institution of higher education’ means an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) that— 

"(1) is eligible to participate in the student financial assistance programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and 

"(2) has entered into an agreement with the Mayor containing an assurance that funds made available under this title will be used to supplement and not supplant other assistance that may be available for members of the District of Columbia National Guard for periods of instruction that begin on or after January 1, 2010."

"SEC. 206. EFFECTIVE DATE.— "Financial assistance may be provided under the program under this title to eligible members of the District of Columbia National Guard for periods of instruction that begin on or after January 1, 2010."

"SEC. 207. PAYGO COMPLIANCE.— "(a) The provision of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ‘Budgetary Effects of PAYGO Legislation’ for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage."

"The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from California (Mr. H铋) yield the floor.

"The Chair recognizes the gentlewoman from the District of Columbia.

"Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members consider financial assistance to members of the District of Columbia National Guard to assist in covering higher education expenses. The Mayor would establish this program in coordination with the commander of the District of Columbia National Guard; assist would be capped at $6,000 per year per National Guard member. 

"H.R. 3913, as amended, authorizes appropriations to the District of Columbia for the assistance program. The bill would also authorize the transfer of funds from Federal agencies for providing assistance under the program. The initial authorization for the program is $370,000 in FY 2011. The bill would permit annual adjustments in funding years based on tuition inflation index used by the Secretary of Veterans Affairs for educational benefits. As amended, H.R. 3913 complies with PAYGO requirements.

"Mr. Speaker, in addition, the bill seeks to name the bill after former General David Wherley of the District of Columbia National Guard.

"Mr. Speaker, I told the D.C. National Guard’s 5th Transportation Company when they were deployed to Iraq about a year ago that I would work with several D.C. National Guard bills concerning their service. Today, we consider the Major General David F.
Whereby the Honorable Stanley D. Wherley, Jr., of District of Columbia National Guard Retention and College Access Act to permanently authorize funding for a program to provide grants for secondary education tuition to the members of the D.C. National Guard.

The bill authorizes an education incentive program recommended by former Major General David Wherley and his successor, Major General Errol Schwartz, who suggested that education grants would be useful in stemming the troublesome loss of membership of the D.C. Guard to units, in part, because surrounding States offer just such educational benefits.

I am grateful that the Appropriations Committee has allotted funds in some years, with smaller contributions from the District, in the Financial Services and General Government Appropriations bill. A permanent authorization is necessary, however, to ensure that D.C. National Guard members receive equal educational benefits with other National Guard members on a regular basis, especially with surrounding States that do, in fact, have the higher education benefits we seek for the D.C. National Guard. The Guard for the District of Columbia is comprised of members from the pool of regional residents who find membership in Maryland and Virginia Guards more financially beneficial.

Mr. Speaker, last week, on June 22, we marked the 1-year anniversary of the commemoration of the Metro collision here involving two Red Line trains that took the lives of nine area residents, seven from the District of Columbia, including a local hero, Major General David F. Wherley, Jr., and his wife Ann. This bill is named in honor of General Wherley, who not only served his country all his adult life and never forgot the men and women who served under him at home or at war, but also was sensitive to the residents of the District of Columbia, especially the city’s most troubled youth. Thereafter, Congressman José Serrano, chair of the Committee on Appropriations Financial Services Subcommittee, was good enough to offer this renaming in his appropriations bill last year and to appropriate the funds without authorization this year or in prior years.

Under General Wherley’s command, the D.C. National Guard deployed several of its units to the global war on terrorism. General Wherley himself served courageously in both Iraq and Afghanistan, but at home he spent hours with me figuring out ways to get funds for programs for the District’s children. We were successful, because he would show up, not only in my office, but wherever he was needed to get the funds to do the service for his men and for the children of this city.

General Wherley was a full-service leader. He not only commanded the D.C. National Guard; he worked closely with me and with city officials on programs for our city and its disadvantaged youth and for keeping our Guard competitive as a premier force at home as well as abroad.

The education incentives in this bill serve not only to encourage high-quality recruits, but, when appropriated, had the important benefit of helping the D.C. National Guard to maintain the force necessary to protect the Federal presence, because this funding helps equalize an important benefit compared with what is offered by Guard units in surrounding jurisdictions, which is open to D.C. National Guard members.

While the appropriators have been good enough to provide funding for the D.C. National Guard by considering it a programmatic request, it is imperative that this important educational initiative be authorized appropriately to ensure its permanent sustainability.

I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is a privilege to join with my colleague, the Delegate from Washington, D.C. This bill quite appropriately is named in honor of an individual who has served the community well and, more importantly, the context and the substance of this bill gives equity to those men and women who serve in the National Guard for the Federal District of Columbia and gives them equity with those States that surround the Federal District.

I think many times Congress is asked to give special attention to our residents in the Federal District, and I think this is one of fairness, equity, one that I think is well within our constitutional, not only our rights, but our responsibilities to represent not just those in our own districts, but to recognize that the Federal District is a district for all Americans.

Mr. Speaker, I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 3913, as amended.

The question was taken, and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONGRATULATING THE CHICAGO BLACKHAWKS

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1439) congratulating the Chicago Blackhawks on winning the 2010 Stanley Cup Championship.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1439

Whereas the historic Chicago Blackhawks, as one of the “Original Six”, have made countless contributions to sports;

Whereas the Blackhawsks of the National Hockey League have demonstrated a commitment to promoting fitness and leadership skills for youth through support for youth hockey programs and community skating facilities;

Whereas with 101 straight home game sellouts, and an NHL leading regular-season attendance of 21,356, the Blackhawks are the pride of their hometown, Chicago, Illinois;

Whereas in just 3 years, the Blackhawks organization of Rocky Wirtz, Joel Quenneville, John McDonough, Stan Bowman, Scotty Bowman, Jay Blunk, and Dale Talon have revitalized a franchise and reminded Chicago that it has always been a hockey town;

Whereas the Chicago Blackhawks, through amazing offense, superb defense, and unyielding depth, dominated the regular season and won 52 games;

Whereas the Blackhawks defeated the Nashville Predators in 6 games, the Vancouver Canucks in 6 games, and swept the number 1 seeded San Jose Sharks to become the Western Conference Champions and advance to the Stanley Cup Final;

Whereas in the Stanley Cup Final, the Blackhawks held off the aggressive play and talent of the Eastern Conference Champion Philadelphia Flyers, who deserve great credit, to win in overtime, and provide one of the most exciting final series in recent history;

Whereas the incredible contributions from every player, coach, and the entire Blackhawks family have ended the 49-year-long championship drought and brought the roar back to Madison Street and Lord Stanley’s Cup to where it belongs, sweet home Chicago; Now, therefore, be it

Resolved. That the House of Representatives—

(1) recognizes the Chicago Blackhawks for their long distinguished history, countless contributions to sports, and their many successes as a franchise;

(2) congratulates the Blackhawks on an amazing season and for winning the 2010 Stanley Cup Championship;

(3) recognizes the players, coaches, and leadership of the Blackhawks organization; and

(4) joins with all people in the United States and hockey fans all over the world in celebrating the return of the Stanley Cup to Chicago, Illinois.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORRIN) and the delegation from California (Mr. BILBRAY) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members shall have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? Aw.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on behalf of the Committee on Oversight and Government
Representative MIKE QUIGLEY, on May
gratulates the Chicago Blackhawks for
1439 for consideration. The bill con-
pleased to yield such time as he may
the game, but I’d like to do it from
victory.

I join my colleagues in congratu-
Not since the days of Hall of Famers
players who won the Stanley Cup and
alumni of Blackhawks, including
Esposito, Denis Savard, and many oth-
ers. Unfortunately, many alumni are
long with us—Hawk legends who
are forever in our hearts, such as Keith
Magnuson and Pit Martin. But it also
set off an extraordinary celebration in
Chicago, which, for many of us, is still
go on.

There are many people to thank, the
first of which, as far as I understand, is
the only truly popular owner I know in
professional sports, Rocky Wirtz, who
combined his full efforts with dedica-
tion to bring a championship to Chi-
cago; John McDonough, the president
of the team; Jay Blunk, Stan Bowman,
and Scotty Bowman, who were extraor-
dinary in putting this team together and
advising it; along with Dale
Tallon, who’s no longer with the team
but to whom we owe a great deal of
gratitude; defenseman Duncan Keith,
the James Norris Memorial Trophy
winner this year; Captain Jonathan
Toews, who won the Conn Smythe Trop-
y; and a team of all-stars, including
Patrick Kane was flying across the ice
brave Chicago Blackhawk hockey fans
are ecstatic. I urge my colleagues to
and I understand why he and Chicago
are ecstatic. I urge my colleagues to
join me in supporting this measure.

I reserve the balance of my time.

Mr. BILBRAY. Mr. Speaker, I con-
gratulate the gentleman again, and
Chicago, which has had a pretty good
run the last couple of years. Seeing
that I know how committed the hockey
fans are, I will join with my colleagues in
urging the Members to support the
passage of H.R. 1439.

I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I yield
back the balance of my time.

The SPEAKER pro tempore. The
question is on the motion offered by
the gentlewoman from the District of
Columbia (Ms. NORTON) that the House
suspend the rules and agree to the reso-
lution, H. Res. 1439.

The question was taken.

The SPEAKER pro tempore. Pursuant
to clause 8 of rule XX, the Chair’s
prior announcement, further
proceedings on this motion will be
postponed.

UNITED STATES SECRET SERVICE
UNIFORMED DIVISION MOD-
ERNIZATION ACT OF 2010

Ms. NORTON. Mr. Speaker, I move
to suspend the rules and pass the Senate
bill (S. 1510) to transfer statutory enti-
telements to pay and hours of work au-
thorized by the District of Columbia
Code for current members of the
United States Secret Service Uniformed
Division from the District of
Columbia Code to the United States
Code, as amended.

The Clerk reads the title of the bill.

The text of the amendments is as fol-
lows:

Amendments:
Strike out all after the enacting clause and
insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Secret Service Uniformed Division Modernization Act of 2010”.

TITLE I—PERSONNEL RULES FOR UNITED STATES SECRET SERVICE UNIFORMED DIVISION

SEC. 101. PURPOSE.

The purpose of this title is to transfer stat-
utory entitlements to pay and hours of work
authorized by laws codified in the District of
Columbia Code to the United States
Secret Service Uniformed Division from such laws to the
United States Code.

SEC. 102. HUMAN RESOURCES FOR UNITED STATES SECRET SERVICE UNIFORMED DIVISION.

(a) PAY FOR MEMBERS OF THE UNITED STATES SECRET SERVICE UNIFORMED DIVISION.—Subpart I of part III of title 5, United States Code, is amended by adding at the end the following:

“CAPTAIN.—UNITED STATES SECRET SERVICE UNIFORMED DIVISION PERSONNEL.”

“Sec.”
The term ‘United States Secret Service Uniformed Division’ has the meaning given that term under section 3056A of title 18.

§ 10202. Authorities

(a) IN GENERAL.—The Secretary is authorized to—

(1) fix and adjust rates of basic pay for members of the United States Secret Service Uniformed Division, subject to the requirements of this chapter;

(2) determine what constitutes an acceptable level of competence for the purposes of section 10205;

(3) establish and determine the positions at the Officer and Sergeant ranks to be included as technician positions; and

(4) determine the rate of basic pay of a member who is changed or demoted to a lower rank, in accordance with section 10206.

(b) DELEGATION OF AUTHORITY.—The Secretary is authorized to delegate to the designated agent or agents of the Secretary, any power or function vested in the Secretary under this chapter.

(c) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary to administer this chapter.

§ 10203. Basic pay

(a) IN GENERAL.—The annual rates of basic pay of members of the United States Secret Service Uniformed Division shall be fixed in accordance with the following schedule for the purpose of basic pay for positions at the Lieutenant, Captain, and Inspector ranks is limited to 95 percent of the rate of pay for level V of the Executive Schedule under subchapter II of chapter 53.

(b) EXCEPTIONS.—(1) Except as provided in paragraph (2), the additional compensation authorized by subsection (a)(1) shall be considered as basic pay for all purposes, including section 8401(4).

(2) The additional compensation authorized by subsection (a)(1) shall not be considered as basic pay for the purposes of—

(A) section 5304; or

(B) section 7511(a)(4).

(3) The loss of the additional compensation authorized by subsection (a)(1) shall not constitute an adverse action for the purposes of section 7512.

§ 10207. Promotions

(a) IN GENERAL.—Each member who is promoted to a higher rank shall receive basic pay at the same step at which such member was being compensated prior to the date of the promotion.

(b) CREDIT FOR SERVICE.—For the purposes of computing service under section 10205, periods of service at the lower rank shall be credited in the same manner as if it were service at the rank to which the employee is promoted.

§ 10208. Demotions

When a member is changed or demoted from any rank to a lower rank, the Secretary may fix the member’s rate of basic pay at the rate of pay for any step in the lower rank which does not exceed the lowest step in the lower rank for which the rate of basic pay is equal to or greater than the member’s existing rate of basic pay.

§ 10209. Clothing allowances

(a) IN GENERAL.—In addition to the benefits provided under section 5901, the Director of the United States Secret Service or the designee of the Director is authorized to provide a clothing allowance to a member assigned to perform duties in normal business or work attire purchased at the discretion of the employee. Such clothing allowance shall not be treated as part of the member’s basic pay for any purpose (including retirement purposes) and shall not be used for the purpose of computing the member’s overtime pay or any other paid time off, lump-sum payments under section 5551 or section 5552, workers’ compensation, or any other purpose authorized by law.

§ 10205. Service step adjustments

(a) DEFINITION.—In this section, the term ‘calendar week of active service’ includes all periods of leave with pay or other paid time off, and periods of non-pay status which do not cumulatively equal one 40-hour workweek.

(b) ADJUSTMENTS.—Each member whose current performance is at an acceptable level of competence shall have a service step adjustment as follows:

(1) Each member in service step 1, 2, or 3 shall be advanced successively to the next higher service step at the beginning of the first pay period immediately following the completion of 52 calendar weeks of active service in the member’s service step.

(2) Each member in service step 4, 5, 6, 7, 8, 9, 10, or 11 shall be advanced successively to the next higher service step at the beginning of the first pay period immediately following the completion of 104 calendar weeks of active service in the member’s service step.

(3) Each member in service step 12 shall be advanced successively to the next higher service step at the beginning of the first pay period immediately following the completion of 156 calendar weeks of active service in the member’s service step.

§ 10206. Technician positions

(a) IN GENERAL.—(1) Each member whose position is determined under section 10202(a)(3) to be included as a technician position shall, or after such date, receive in addition to the member’s scheduled rate of basic pay, an amount equal to 6 percent of the sum of such member’s rate of basic pay and the applicable locality-based comparability payment.

(2) A member described in this subsection shall receive the additional compensation authorized by this subsection until such time as the member’s position is determined under section 10202(a)(3) not to be a technician position or until the member no longer occupies such position, whichever occurs first.

(3) The additional compensation authorized by this subsection shall be paid to a member in the same manner and at the same time as the member’s basic pay is paid.

(b) EXCEPTIONS.—(1) Except as provided in paragraph (2), the additional compensation authorized by subsection (a)(1) shall be considered as basic pay for all purposes, including section 8401(4).

(2) The additional compensation authorized by subsection (a)(1) shall not be considered as basic pay for the purposes of—

(A) section 5304; or

(B) section 7511(a)(4).

(3) The loss of the additional compensation authorized by subsection (a)(1) shall not constitute an adverse action for the purposes of section 7512.
other benefit. Such allowance for any member may be discontinued at any time upon written notification by the Director of the United States Secret Service or the designee of the Director.

"(b) Maximum Amount Authorized.—A clothing allowance authorized under this section shall not exceed $500 per annum.

"§ 10210. Reporting requirement

"Not later than 3 years after the date of the enactment of this Act, the Secretary shall prepare and transmit to Congress a report on the operation of this chapter. The report shall include—

"(1) an assessment of the effectiveness of this chapter with respect to efforts of the Secretary to recruit and retain well-qualified personnel; and

"(2) recommendations for any legislation or administrative action which the Secretary considers appropriate.

"(b) Annual Leave Limitation for Members in the Deputy Chief, Assistant Chief, and Chief Ranks.—Section 6041(c) of title 5, United States Code, is amended—

(1) in subparagraph (F), by striking "or" after the semicolon;

(2) in subparagraph (G), by striking the period and inserting ";"; and

(3) by adding at the end the following:

"(H) a position in the United States Secret Service Uniformed Division at the rank of Deputy Chief, Assistant Chief, or Chief.

"(c) Sick Leave for Work-Related Injuries and Illnesses.—Section 6321 of title 5, United States Code, is amended—

(1) in subsection (a), by striking "Executive Protective Service force" and inserting "United States Secret Service Uniformed Division";

(2) in subsection (b)(3), by striking the "Treasury for the Executive Protective Service force" and inserting "Homeland Security for the United States Secret Service Uniformed Division";

(3) by adding at the end the following:

"(c) This section shall not apply to members of the United States Secret Service Uniformed Division who are covered under chapter 84 for the purpose of retirement benefits.

"SEC. 103. MISCELLANEOUS PROVISIONS.

(a) Conversion to New Salary Schedule.—

(1) In general.—

(A) Rates of pay fixed.—Effective the first day of the first pay period which begins after the date of the enactment of this Act, the Secretary shall determine the rates of basic pay for members of the United States Secret Service Uniformed Division, as defined under section 10201 of title 5, United States Code, (as added by section 102(a)) in accordance with the provisions of this subsection.

(B) Rate based on creditable service.—

(i) In general.—Each member shall be placed in the basic pay at the corresponding scheduled rate under chapter 102 of title 5, United States Code, as added by section 102(a) (after any adjustment under paragraph (3) of this subsection) in accordance with the member's total years of creditable service, as provided in the table in this clause. If the scheduled rate of basic pay for the step in which the member would be placed in accordance with this paragraph is lower than the member's rate of basic pay immediately before the date of enactment of this paragraph, the member shall be placed in and receive basic pay at the next higher basic pay step, subject to the provisions of clause (iv). If the member's rate of pay exceeds the highest step of the rank, the rate of basic pay shall be determined in accordance with clause (iv).

(ii) Creditable service.—For the purposes of this subsection, a member's creditable service is any police service in pay status with the United States Secret Service Uniformed Division, the United States Park Police, or the District of Columbia Metropolitan Police Department.

(iii) Step conversion maximum rate.—

(I) In general.—A member who, at the time of conversion, is in step 13 of any rank below Deputy Chief, is entitled to that rate of basic pay which is the greater of—

(aa) the rate of pay for step 13 under the new salary schedule; or

(bb) the rate of pay for step 14 under the pay schedule in effect immediately before conversion.

(II) Step 14 rate.—Clause (iv) shall apply to a member whose pay is set in accordance with subclause (I)(bb).

(iv) Adjustment based on former rate of pay.—

(I) Definition.—In this clause, the term "former rate of basic pay" means the rate of basic pay last received by a member before the conversion.

(II) In general.—If, as a result of conversion to the new salary schedule under chapter 102 of title 5, United States Code, relating to promotions, (as added by section 102(a)) in accordance with this subsection, the member's former rate of basic pay is greater than the maximum rate of basic pay payable for the rank of the member's position by 50 percent or more, the member shall be placed in and receive basic pay at a rate equal to the member's former rate of basic pay, and increased at the time of any increase in the maximum rate of basic pay payable for the rank of the member's position by 50 percent of the dollar amount of each such increase.

(III) Promotions.—For the purpose of applying subsections (I) and (II), the Secretary of Homeland Security shall, in the case of a member who is promoted to a rank for which the rate of basic pay is the maximum rate of basic pay payable for the rank of the member's position by 50 percent or more, place the member in the new salary schedule at the new rate of basic pay which is the greater of—

(aa) the rate of pay for step 13 under the new salary schedule; or

(bb) the rate of pay for step 14 under the new salary schedule.

(v) Schedules of rates of basic pay shall be increased by the percentage of any annual adjustment applicable to the General Schedule authorized under section 5303 of title 5, United States Code, or any other authority, which takes effect during any period beginning on January 1, 2010, through the last day of the last pay period preceding the first pay period which begins after the date of the enactment of this Act. The Secretary of Homeland Security may establish a methodology of schedule adjustment that results in uniform fixed-dollar step increments within any given rank and preserves established percentage differences among rates of different ranks at the same step position.

(b) Impact on Benefits Under the District of Columbia, Firefighters’ Retirement and Disability System.

(1) Salary Increases for Purposes of Certain Pensions and Allowances.—The conversion of positions and members of the United States Secret Service Uniformed Division to appropriate ranks in the salary schedule set forth in this title and the amendments made by this title, and the initial adjustments of rates of basic pay of those positions and individuals in accordance with this title and the amendments made by this title, shall be treated as an increase of 2.50 percent in the salary of current members for purposes of section 3 of the Act entitled "An Act to provide increased pensions for widows and children of deceased members of the Police Department and the Fire Department of the District of Columbia", approved August 4, 1949 (sec. 5–744, D.C. Official Code) and section 301 of the District of Columbia Police and Firemen's Salary Act of 1953 (sec. 5–745, D.C. Official Code).

(c) Treatment of Retirement Benefits and Pensions of Current and Former Members.—Except as otherwise provided in this title, nothing in this title shall affect retirement benefits and pensions of current members and former members who have retired under the District of Columbia Police and Firefighters' Retirement and Disability System.

SEC. 104. TECHNICAL AND CONFORMING AMENDMENTS.

(a) In General.—To the extent that any provision of any law of the District of Columbia Official Code that authorizes an entitlement to pay or hours of work for current members of the United States Secret Service Uniformed Division is expressly revoked by this title, such provision shall not apply to such members after the effective date of this Act.

(b) Amendments to Laws Codified in District of Columbia Official Code.—The following laws codified in the District of Columbia Official Code are amended as follows:

(1) The Act entitled "An Act to provide for granting to officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, White House and United States Park Police forces additional compensation for working on holidays", approved October 24, 1911, is amended—

(A) in the second sentence of section 1 (sec. 5–521.01, D.C. Official Code), by striking "the Fire Department of the District of Columbia," and all that follows through "the United States Park Police Force" and inserting "the Fire Department of the District of Columbia, and the United States Park Police Force"; and

(B) in section 2 (sec. 5–521.02, D.C. Official Code), by striking "and with respect" and all that follows through "United States Park Police force" and inserting "and with respect to officers and members of the United States Park Police force"; and
(C) in section 3 (sec. 5—521.03, D.C. Official Code), by striking ‘‘shall be applicable’’ and all that follows and inserting the following: ‘‘shall be applicable to the United States Park Police force, the United States Secret Service Uniformed Division, and for the Fire Department of the District of Columbia and for the United States Secret Service Uniformed Division, after the Secretary of the Treasury;’’.

(2) The District of Columbia Police and Firemen’s Salary Act of 1956 is amended as follows:

(A) In section 202 (sec. 5—542.02, D.C. Official Code), by striking ‘‘United States Secret Service Uniformed Division.’’

(B) in section 302 (sec. 5—543.01(b), D.C. Official Code), by striking ‘‘the United States Secret Service Uniformed Division.’’

(C) in section 302 (sec. 5—543.02, D.C. Official Code)—

(i) in subsection (a), by striking ‘‘the Secretary of Treasury, in the case of the United States Secret Service Uniformed Division,’’ and

(ii) in subsection (b), by striking ‘‘the United States Secret Service Uniformed Division’’; and

(iii) in subsection (e), by striking ‘‘the United States Secret Service Uniformed Division or’’.

(D) in section 303(a)(5) (sec. 5—543.03(a)(5), D.C. Official Code), by striking ‘‘the United States Secret Service Uniformed Division and’’.

(E) in section 304(d)(1) (sec. 5—543.04(d)(1)), by striking ‘‘the United States Secret Service Uniformed Division or’’.

(F) in section 305 (sec. 5—545.05, D.C. Official Code)—

(i) by striking ‘‘the United States Secret Service Uniformed Division,’’; and

(ii) by striking ‘‘or the Secretary of the Treasury’’.

(G) in section 501 (sec. 5—545.01, D.C. Official Code)—

(i) in subsection (a), by striking ‘‘and the United States Secret Service Uniformed Division’’;

(ii) in subsection (c)(1)—

(i) by striking ‘‘the United States Secret Service Uniformed Division or’’;

(ii) in the schedule set forth in such subsection, by striking ‘‘United States Secret Service Uniformed Division’’; and

(ii) in section 506 (sec. 5—545.06, D.C. Official Code), by striking ‘‘, the Secretary of the Treasury’’.

(3) Section 118 of the Treasury and General Government Appropriations Act, 1998, is amended by striking subsection (b) (sec. 5—561.01(b), D.C. Official Code).

(4) Section 905(a)(1) of the Law Enforcement Pay Equity Act of 2000 (Public Law 106—554; sec. 5—561.02(a)(1), D.C. Official Code) is amended by striking ‘‘Secretary of Treasury’’ and all that follows through ‘‘the Secretary of Treasury, and’’.

(ii) in subsection (c)(5), by striking ‘‘officers and members of the United States Secret Service Uniformed Division or’’;

(v) in subsection (c)(6)(A), by striking ‘‘the United States Secret Service Uniformed Division or’’; and

(vi) in subsection (c)(7)(A), by striking ‘‘the United States Secret Service Uniformed Division or’’.

(H) in section 506 (sec. 5—545.06, D.C. Official Code), by striking ‘‘, the Secretary of the Treasury’’.

(2) The Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives:

(A) The Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate:

(B) Assistance.—The Administrator shall assist executive agencies in the identification and disposal of excess real property.

(C) Duties of Executive Agencies.— (d) Duties of Executive Agencies.— (A) in General.—Each executive agency shall—

(i) maintain adequate inventory controls and accountability systems for property under its control;

(ii) continuously survey property under its control to identify excess property;

(iii) promptly report excess property to the Administrator; and

(iv) perform the care and handling of excess property; and

(D) how best to dispose of those properties identified as excess to the needs of the agency.

(2) Annual Report.— (A) The Administrator shall submit an annual report, for each of the first 5 years after 2010, to the congressional committees listed in subparagraph (C) based on data submitted from all executive agencies, detailed agency efforts to reduce their real property assets and the additional information described in subparagraph (B). The report shall include:

(i) The aggregated estimated market value and number of real property assets under the custody and control of all executive agencies, set forth government-wide and by agency, and for each at the constructed asset level and at the facility/installation level.

(ii) The aggregated estimated market value and number of surplus real property assets under the custody and control of all executive agencies, set forth government-wide and by agency, and for each at the constructed asset level and at the facility/installation level.

(iii) The aggregated cost for maintaining all surplus real property under the custody and control of all executive agencies, set forth government-wide and by agency, and for each at the constructed asset level and at the facility/installation level.

(iv) For purposes of subclause(I), costs for real property owned by the Federal Government shall include recurring maintenance and repair costs, utilities, cleaning and janitorial costs, and roads and grounds expenses.

(v) For purposes of subclause (II), costs for real property leased by the Federal Government shall include lease costs, including base and operating rent and any other relevant costs listed in subclause (II) not covered in the lease contract.

(vi) For each surplus real property facility/installation disposed of, an indication of—

(I) its geographic location with address and description;

(II) its size, including square footage and acreage;

(III) the date and method of disposal; and

(IV) its estimated market value.

(vii) Such other information as the Administrator considers appropriate.

(C) The Congressional committees included in this subparagraph are as follows:

(D) The Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure of the House of Representatives.

(E) The Committee on Homeland Security and Governmental Affairs and the Committee on Environment and Public Works of the Senate.

(F) Assistance.—The Administrator shall assist executive agencies in the identification and disposal of excess real property.
“(E) transfer or dispose of excess property as promptly as possible in accordance with authority delegated and regulations prescribed by the Administrator.”

“(2) Requirements with respect to real property.—With respect to real property, each executive agency shall—

(A) develop and implement a real property inventory system to identify and declare as excess the property identified by the agency as excess, following new subparagraph:

(C) as subparagraphs (C) and (D), respectively:

(B) identify and categorize all real property owned, leased, or otherwise managed by the agency;

(C) establish adequate goals and incentives that lead the agency to reduce excess real property.

(2) Net Proceeds. —Any proceeds referred to in subsection (a) are proceeds under this chapter, less expenses of the transfer or disposition as provided in section 572(a)(1) of this title, from—

(1) transfer of excess real property to a Federal agency for agency use; or

(2) sale, lease, or other disposition of surplus real property.

“(c) Procedures from Transfer or Sale of Personal Property.—(1) Except as otherwise provided in this subsection, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

(2) The proceeds described in this paragraph are proceeds under—

(A) a transfer of excess personal property to a Federal agency for agency use; or

(B) lease, sale, or other disposition of surplus personal property.

“(3) Subject to regulations under this subtitle, the expenses of the sale of personal property may be paid from the proceeds of sale so that only the net proceeds are deposited in the Treasury. This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.”

“SEC. 202. Enhanced Authorities With Regard to Reverted Property Identified as Excess. Section 572(a)(2) of title 40, United States Code, is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) by inserting after subparagraph (A) the following new subparagraph:

“(B) Additional Authority.—(I) From the fund described in paragraph (1), subject to clause (iv), the Administrator may obligate an amount to pay the direct and indirect costs incurred by, and preparing properties to be removed excess by another agency.

(ii) The General Services Administration shall be reimbursed from the proceeds of the sale of such properties for such costs.

(iii) Net proceeds shall be dispersed pursuant to section 571 of this title.

(iv) The authority under clause (i) to obligate funds to prepare properties to be removed excess does not include the authority to compel use by sale, lease, exchange, or otherwise, including through leaseback arrangements or service agreements.

(III) Nothing in this subparagraph is intended to affect subparagraph (D).”

“SEC. 204. Enhanced Authorities With Regard to Reverted Real Property.—(a) Authority To Pay Expenses Related to Reverted Real Property.—Section 572(a)(2) of title 40, United States Code, is amended by adding at the end the following:

“(iv) The direct and indirect costs associated with the reversion, custody, and disposal of reverted real property.”

“(b) Requirements Related to Sales of Reverted Property Under Section 554.—(Section 554(a) of the McKinney Vento Homeless Assistance Act (42 U.S.C. 14111(a)) shall not apply to eligible properties.

(2) The requirements of section 550 of this title, from—

(1) the proceeds described in subsection (d) shall be deposited into the appropriate real property account of the agency that has custody and accountability for the real property at the time the real property is determined to be excess. Such funds shall be expended only for activities as described in subsection (a) of this section and disposal activities, including paying costs incurred by the General Services Administration for any disposal-related activity authorized by this title. Such funds may also be expended by the agency for maintenance and repairs of the agency’s real property necessary for its disposal or for the repair or alteration of the agency’s other real property. Such funds are available only to the extent and in the amounts provided in annual appropriations Acts, except that such funds shall be authorized for expenditure in an appropriations Act for any repair or alteration project that is subject to the requirements of section 3307 of this title without a further prospectus submitted by the General Services Administration and approved by the Committee on Transportation and Infrastructure of the Senate. However, such funds shall be authorized for expenditure in an appropriations Act for any real property that reverts to the United States under sections 550, 553, and 554 of this title, the General Services Administration, or any other agency, and is reclassified as property to which the agency with custody and accountability for the real property at the time the real property is determined to be excess.

(3) Net Proceeds.—Any proceeds referred to in subsection (a) are proceeds under this chapter, less expenses of the transfer or disposition as provided in section 572(a)(1) of this title, from—

(1) transfer of excess real property to a Federal agency for agency use; or

(2) sale, lease, or other disposition of surplus real property.

“(c) Procedures From Transfer or Sale of Personal Property.—(1) Except as otherwise provided in this subsection, proceeds described in paragraph (2) shall be deposited in the Treasury as miscellaneous receipts.

(2) The proceeds described in this paragraph are proceeds under—

(A) a transfer of excess personal property to a Federal agency for agency use; or

(B) lease, sale, or other disposition of surplus personal property.

“(3) Subject to regulations under this subtitle, the expenses of the sale of personal property may be paid from the proceeds of sale so that only the net proceeds are deposited in the Treasury. This paragraph applies whether proceeds are deposited as miscellaneous receipts or to the credit of an appropriation as authorized by law.”

“SEC. 206. Demonstration Authority.—(a) In General.—Subchapter II of chapter 5 of title 40, United States Code, is amended by adding at the end the following new section:

“§ 530. Demonstration program of inapurcha-

ability of certain requirements of law

“(a) Authority.—Effective for fiscal years 2011 and 2012, the requirements of section 501(a) of the McKinney Vento Homeless Assistance Act (42 U.S.C. 14111(a)) shall not apply to eligible properties.

“Eligible Properties.—A property is eligible for purposes of subsection (a) if it meets both of the following requirements:

(1) The property is owned by an agency and is a Federal building or other Federal real property located on land not determined to be excess, for which there is an ongoing Federal need, and not to be used in any lease, exchange, leaseback arrangement, or service agreement.

(2) The property is—

(i) located in an area to which the general public is denied access in the interest of national security and where alternative access cannot be provided for the public without compromising national security; or

(ii) the property poses risk to human health and safety or has become an attractive nuisance.

“(b) Authority.—(1) No property of the Department of Veterans Affairs may be considered an eligible property for purposes of subsection (a).

(2) With respect to a property described in subsection (b), the land underlying the property remains subject to all
TITLE III—WAIVER OF RECOVERY OF CER-
TAIN PAYMENTS UNDER DOD CIVILIAN EM-
PLOYEES VOLUNTARY SEPARATION INCENTIVE PROGRAM

SEC. 301. AUTHORITY FOR WAIVER OF RECOVERY OF CER-
TAIN PAYMENTS UNDER DOD CIVILIAN EM-
PLOYEES VOLUNTARY SEPARATION INCENTIVE PROGRAM.

(a) AUTHORITY FOR WAIVER.—Subject to subsection (c), the Secretary of Defense may waive recovery under subparagraph (B) of section 9902 of title 5, United States Code, for repayment to the Department of Defense of a voluntary separation incentive payment made under subsection (a) of section 9902 if—

(1) the employee or former employee is not eligible to have the amount of the payment returned to the United States;

(2) the employee or former employee is not entitled to have the amount of the payment returned to the United States; or

(3) the employee or former employee is not entitled to have the amount of the payment returned to the United States because the payment was not previously repaid to the United States.

(b) APPLICATION—(1) In general.—The authority provided by subsection (a) shall apply to an employee or former employee if—

(A) the employee or former employee received a voluntary separation incentive payment for services performed after March 31, 2018; and

(B) the employee or former employee was no longer employed by the Department of Defense as of September 30, 2018.

(c) REQUIRED DETERMINATION.—The Sec-
retary of Defense may grant a waiver under subsection (a) in the case of any individual only if the Secretary determines that recovery of the amount of the payment referred to in paragraph (1) would not be required and would be in the best interests of the United States.

(d) NOTIFICATION TO CONGRESS.—(1) A list of each eligible property described in subsection (b) of this section shall be sent to the Congress by the Secretary of Defense before the date of enactment of this section.

(2) The congressional committees listed in this paragraph are notified of the enactment of this section:

(A) The Committee on Oversight and Government Reform;

(B) The Committee on Homeland Security and Governmental Affairs; and

(C) The Committee on Environment and Public Works.

(e) RELATIONSHIP TO OTHER PROVISIONS OF LAW.—Nothing in this section may be construed as interfering with the requirement for the submission of a prospectus to Congress as established by section 3307 of this title or for all demolitions to be carried out pursuant to section 527 of this title.

(f) CLERICAL AMENDMENT.—The table of contents for chapter 5 of title 40, United States Code, is amended by inserting after the item relating to section 529 the following new item:

"530. Demonstration program of inapplica-

tion of section 209 of chapter 5 of title 40, United States Code, for repayment to the United States of payments that are not required to be repaid to the United States."

Amend the title so as to read: ''An Act to Amend the title so as to read: ''An Act to

repeal the requirement under section 529 of title 40, United States Code, for repayment to the United States of payments that are not required to be repaid to the United States.

Mr. Speaker, I ask unanimous consent to have the following bill read:

H.R. 2495, or the Federal Real Property Disposal Enhancement Act, which is now title II of S. 1510, will make it easier for Federal agencies to sell properties that they no longer need. This bill meets a longstanding concern of the Government Accountability Office, the Oversight Committee, as well as both the Bush and Obama administrations.

H.R. 2495 was introduced by Representative DENNIS MOORE of Kansas on May 19, 2009. It enjoys bipartisan support, as similar legislation did in the last Congress. The Oversight Committee approved a similar bill in the 110th Congress, and it also passed by unanimous vote when it reached the House floor.

Lastly, in addition to strengthening the Secret Service and enhancing government efficiency, this legislation would correct an injustice for approximately 40 individuals who were reemployed in temporary positions within the Uniformed Division after September 11. The provisions in title III authorize the Secretary of Defense to retroactively waive repayment of voluntary separation pay for certain individuals who were reemployed in temporary positions within the Uniformed Division and who were employed on behalf of the United States.
required to repay their separation pay. In making these assurances, the DOD components were apparently following guidance from the Office of Personnel Management on filing emergency positions. Unfortunately, this guidance was not applicable to DOD at that time, and the DOD components have determined they do not currently have the authority to retroactively waive the repayment requirement. As a result, even though these individuals received written assurances that they would not be required to repay any future repayment requirement for these individuals. I want to thank Representative HANK JOHNSON and the Armed Services Committee for their work and support on this legislation. I encourage all Members to support the good government efforts in this legislation. These efforts will strengthen the Secret Service, enhance government efficiency, and correct an injustice for civilian DOD employees.

I reserve the balance of my time.

Mr. BILBRAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I compliment the author of this bill. It is one where priorities are being made. It may be small in the bigger picture, but at least the priority is being made. Right now, we’re talking about that we have a need in this country to help enhance the compensation for some very critical public servants—not just us personally, but for the country at large.

The fact is, this bill will create a $15 million savings by looking at surplus property that the taxpayers not only own but have to maintain at this time. Sadly, Mr. Speaker, that $15 million is a drop in the bucket of what we could be doing on the Homeland Security and Budget. Federal estimated, the Federal Government has $18 billion worth of real property it does not need, and rather than selling this property or marketing it, we usually give it away one way or another to local governments, States, or nonprofits, rather than getting the fair market value.

I know historically we have always taken this attitude of, if the Federal Government can’t use it, let’s give it to somebody else. But I think we all agree with the budget crisis the way it is, we need to rethink those priorities and make sure that we recognize that the Federal Government is not in the position of giving their largesse out to other governments or nonprofits. I have before me a bill that this bill makes that priority decision. Instead of issuing it to other governments or to nonprofits, it says we need the money within the Federal family, and thus we will liquidate this asset and create the revenue so we can spend it at another location which is a higher priority.

I join in supporting this bill. I think that it sets an example that we should all be looking at, and that is: As we take this step in rewriting this important legislation, if $15 million is a good idea, where do we go when we’re looking at the $18 billion that is out there? I think most of us on Government Oversight, especially on the subcommittee that I have the privilege of being the ranking member on, Organization and Procurement, not only have a right, but a responsibility, to take a look at where else do we have resources that are not being tapped for the American people. Where else should we be liquidating our real estate, putting it in the private market and allowing it to do the magic that the private sector has done for this country for so long? And how much longer will we horde this real estate when we do not have a foresisen or foreseeable use for it?

Mr. Speaker, I join in not only providing the resources to be able to pay our men and women who protect us every day, but I also policy that says we will now look at the resources of the American people as being that of the American people as a general welfare issue and that we will look at how best to able to pay our bills with the resources we can generate by liquidating unneeded assets.

Mr. Speaker, I think that Mr. CHAFFETZ of Utah just 2 weeks ago brought up a bill that looked a lot like this. I know this body did not support his bill to go after and try to create that $18 billion fund for the American people, but I think this bill gives us something we can work with, following the leadership of the gentleman from Utah, and that is, let’s see a look like a family and what do we own that we do not think we can use, and how do we liquidate that so we can get the resources and the funds that we desperately need to pay our bills?

So at this time I would again encourage my colleagues to join with us in passing this bill.

I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. I, first of all, want to thank the gentlewoman from the District of Columbia for yielding.

Mr. Speaker, I rise to support the United States Secret Service Uniform Division Modernization Act, but I also rise today to congratulate the Chicago Blackhawks on their Stanley Cup win over the Philadelphia Flyers. As every sports fan in Chicago knows, the Hawks are proud to share the United States Secret Service, which is in the 13th district with that other historic team known as the Bulls. Mr. Speaker, as my daddy used to say: “Life is 95 percent anticipation.” Or to use the words of the great American balladeer Bruce Springsteen: “It’s been a long time comin’, my dear. It’s been a long time comin’, but now it’s here.”

Hockey doesn’t always get its due share of attention in many parts of America, but some of the most memorable moments in sports are found in hockey. Mr. Speaker, who doesn’t know of the “Miracle on Ice” during the 1980 Winter Olympics at Lake Placid, New York, where Team USA defeated the Soviet team which was considered the best in the world. Well, Mr. Speaker, this year’s Stanley Cup winner, the Chicago Blackhawks, were like Team USA, the underdogs, the David to the Goliaths of Philadelphia. We weren’t the fastest or the highest-scoring team. But what we had was grit, drive, courage, determination and vision to go with the fired-up fan base.

This is the first Stanley Cup win for the Blackhawks since 1961.
Blackhawks’ recent victory has inspired all of Chicago and aroused fans of the team to a fever pitch. Chicago is red and black all over. The Hawks dominated because of their perseverance, hard work, and dedication to the sport. Johann Gottfried Herder once said, “What he sends, bear. Whatever persists will be crowned.” The Blackhawks have persevered and have been rightly crowned.

I congratulate the Blackhawks’ head coach Joel Quenneville for giving his team the will to fulfill the determination necessary to achieve this well-deserved victory. And while handing out congratulations, let us not forget the Blackhawks’ team captain Jonathan Toews. The youngest Mr. Toews possesses superior leadership skills and ability and was able to guide his team through to victory.

So I thank, again, the gentlewoman from the District of Columbia for yielding. I was rushing hard to try to get here before this ended because I am, indeed, proud to represent the world-famous, world-known, world-renowned Chicago Blackhawks who make up a part of the heart and the spirit of the congressional district that I have the good fortune to represent.

Ms. NORTON. Mr. Speaker, in closing, I would like to reiterate my strong support for S. 1510, as amended. The bill is PAYGO-neutral. It makes important improvements that will strengthen the Secret Service. It improves government efficiency and helps a handful of DOD civilian employees who have been wronged. I encourage all Members to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The SPEAKER pro tempore announced that the time for Members to offer remarks on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, S. 1510, as amended, had expired.

The motion was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PAULA HAWKINS POST OFFICE BUILDING

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5395) to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the “Paula Hawkins Post Office Building.”

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5395

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

SECTION 1. Designation of Paula Hawkins Post Office Building.

(a) Designation.—The facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, shall be known and designated as the “Paula Hawkins Post Office Building.”

(b) References.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Paula Hawkins Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MICA) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 minutes in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? The Chair recognizes the gentlewoman from the District of Columbia.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

On behalf of the Committee on Oversight and Government Reform, I am pleased to introduce for consideration. This measure designates the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the Paula Hawkins Post Office Building.

H.R. 5395 was introduced by our colleague, the gentleman from Florida, Representative JOHN MICA, on May 25, 2010. It was referred to the Committee on Oversight and Government Reform which waived consideration of the measure for 30 minutes on the floor today. It enjoys the support of the entire Florida delegation.

Paula Hawkins was a Republican Member of Congress who served a single term as a Senator from Florida, fighting to protect children and blazing a trail for women. Paula Hawkins was born on January 24, 1927, in Salt Lake City and passed away on December 3, 2009, at the age of 82. Paula Hawkins was the eldest of three children born to Paul, a naval aviation warrant officer, and Leonie Fickes. In 1934, the family moved to Atlanta, where her father taught at Georgia Tech. Her parents split when Paula was in high school, and Leonie and the children returned to Utah. She finished high school at Rich mond, Utah, in 1944, then enrolled at Utah State University. On September 5, 1947, Paula Fickes and Walter Eugene Hawkins were married and moved to Atlanta. The couple had three children before relocating to Miami, Florida, in 1955, where Paula Hawkins became a community activist and Republican volunteer.

Ms. Hawkins was the first woman elected to a full Senate term without being preceded in politics by a husband or father. She was also the first woman to be a Senator from Florida. While in the Senate, she was the leading sponsor of the Missing Children’s Act of 1982, which requires the Federal Bureau of Investigation to enter descriptive information on missing children into a national computer database that can be used by law enforcement agencies across the country.

Paula Hawkins would be very proud that Ms. NORTON is here today; and I have served with the two of those individuals, both Paula Hawkins and ELA NORWOOD. They have similarities. They are very determined women, very accomplished women, and women who love the people they represent and do a great service for them.

I had the distinction of being the chief of staff for Senator NORWOOD from 1980 to 1985. Before that, I knew her in Florida in the community of Maitland. I lived in Maitland Shores. She lived down the street in the city of Maitland. Paula Hawkins was a wonderful lady, a great human being, a patriot, and she really broke a number of the glass ceilings and barriers for women.

I might say, among her accomplishments, she was the first woman elected state legislator in the history of the State of Florida, and she did that on her own. She started, actually, in her community, working on some local issues, and she took those local issues to her fellow citizens at city hall. She had their voices heard. And she wasn’t elected to any position, just an active community leader. From that, she ran unsuccessfully for the State legislature. But when people saw her talent, they knew that this individual was a fighter for the people.

In fact, she gained the reputation when she got elected statewide to the first office as the “fighting housewife,” “the Maitland housewife.” She was known affectionately as the Fighting Maitland housewife during her entire lifetime, even when she was a Member of the United States Senate because she fought for the people in her community, and she didn’t take any hostages. She represented them well. She had her principles, and she had her philosophy. She never wavered. I think her personal morality—she is a member of the Church of Latter-day Saints,
a Mormon, strong in her beliefs, strong in her philosophy, and I think that was also a guiding light for Paula Hawkins.

Along her side during that entire journey was a wonderful individual, Gene Hawkins. Gene survived her. She passed away, as Ms. NORTON said, December 3 of last year, but her memory and her achievements do live on. Not only, as you heard Ms. NORTON describe, was she elected statewide in the State of Florida, but also was the first United States female Senator in her own right—no family member preceded her—and that was quite an accomplishment. We think that now, some 30 years ago; but it was an accomplishment even in 1980 when she achieved it.

When she came to Congress, she set her path, and she had her priorities, and one of those priorities were our children and youth. In fact, they committed to her care a committee that was called, I believe, Family, Youth and Drugs because she was interested in families and staff who do have young children, and Paula Hawkins saw that their center is still operating today. So not just Members of the Senate—and many of them are far beyond the age of having children eligible for daycare—but there are many hundreds of employees and staff who do have young children, and Paula Hawkins saw that their needs were taken care of. Just a small thing.

There’s dramatic legislation. Most people would never know today, almost all of the labor legislation—was she on the Labor Committee in the Senate. But it was interesting to watch her because, being a male and, you know, sometimes men think a little bit differently than women. You don’t think of all the problems that women have. And at that point in life, she became their champion.

So the labor laws in this country even today reflect her influence, simple things make certain that a single woman had some way to get to work, some simple way to care for the child, some consideration for the special concerns and needs of women who want to be productive in our society. And even the laws today have the mark of a great United States Senator.

So, today I know many people are focused on the death and loss of Senator Byrd, and many of us who got to know him mourn his loss and his many contributions. Paula Hawkins wasn’t here as many terms as Senator Byrd. He was here for nearly half a century. Paula Hawkins was here for only one term, but her deeds and her good works prevailed even in the afterlife.

So to her husband, Gene, to her daughters, Genean and to Kelly and to Kevin, her son, we’re excited about having in their community, in Paula’s community, the Maitland Post Office just down the street from where she lived for many years, a small remembrance. And it is fitting that we do remember folks like Senator Hawkins, that the public can enjoy their memory. So on the Maitland Post Office will be a plaque dedicating that building and that postal facility to the memory of a great American leader, former United States Senator Paula Hawkins.

I reserve the balance of my time.

Ms. NORTON. I thank the gentleman from Florida for his kind and generous comparison of my service with that of Paula Hawkins. She was much admired for the breakthroughs that her service represented. I have no further requests for time, and I reserve the balance of my time.

Mr. MICA. I yield myself the balance of my time.

Again, I am pleased that Ms. NORTON would be here today and honor the memory of my friend. I had the opportunity, as I say, to have worked with Senator Hawkins, both as she built the Florida Republican Party from precinct to the State level, as she built her reputation and service to not only the community of Maitland, the Winter Park, central Florida, Florida, the State, and the Nation, but it is fitting that we do take this step today to name this structure in her honor, a small token of our appreciation for her dedication, her service, her patriotism.

In closing, let me just say that the gentilelady from the District of Columbia probably knows some about my traits. But I have to tell her, in closing, that the one thing I learned from Senator Paula Hawkins is persistence. It beats power. It beats position. It beats wealth. It beats all the cards that may be dealt to you in a positive or negative fashion. But persistence, and I think the gentilelady knows what I mean, that I am a persistent person, and now she knows the rest of the story as to where that persistence came. And it was from the lady we honor here today, Senator Paula Hawkins.

I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I can only say that the gentleman from Florida learned all too well the lessons of persistence from Senator Paula Hawkins. And may I say, as well, whenever the gentleman from Florida is right in his persistence, he will find the gentlewoman from the District of Columbia right there beside him and in his corner.

Mr. Speaker. I again urge my colleagues to join me in supporting this measure.

I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Ms. NORTON. On that I request a recorded vote.

Mr. OBEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9:30 a.m. tomorrow for morning-hour debate and 10:30 a.m. for legislative business.
The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?
There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
WASHINGTON, DC, JUNE 28, 2010.

HON. NANCY PELOSI,
The Speaker, U.S. Capitol, House of Representa-
tives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the
permission granted in Clause 2(h) of Rule II
of the Rules of the U.S. House of Representa-
tives, the Clerk received the following mes-
sage from the Secretary of the Senate on
JUNE 28, 2010 at 5:50 P.M.:

That the Senate agreed to S. Res. 568.

With best wishes, I am
Sincerely,

LORRAINE C. MILLER.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the
Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. Poe) is recognized for 5 minutes.

(Mr. Poe of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. Jones) is recognized for 5 minutes.

(Mr. Jones addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. Burton) is recognized for 5 minutes.

(Mr. Burton of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. Mack) is recognized for 5 minutes.

(Mr. Mack addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RECOGNIZING THE SERVICE OF COLONEL ED JACKSON, COM-
MANDER OF THE LITTLE ROCK DISTRICT OF THE U.S. ARMY
CORPS OF ENGINEERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. Boozman) is recognized for 5 minutes.

Mr. BOOZMAN. Mr. Speaker, as the ranking member on the Subcommittee on Water Resources, I rise today to thank Colonel Ed Jackson, Commander of the Little Rock District of the U.S. Army Corps of Engineers, for his service, especially his last 3 years in Little Rock.

Colonel Jackson has provided forward-thinking and visionary leadership for an organization with a complex mission. This mission includes the planning and management of civil works projects ranging from navigation, flood control, and hydroelectric power to recreation, water supply, environmental protection, and fish and wildlife mitigation.

Most importantly, during Colonel Jackson's time at Little Rock, his team members have provided vital support to our warfighters deployed on the front lines in Afghanistan and Iraq. Colonel Jackson has firsthand experience with the dangers confronted by our soldiers, sailors, airmen, and marines, because he commanded the 54th Engineer Battalion during a year-long deployment in support of Operation Iraqi Freedom.

Colonel Jackson's time at Little Rock has included several serious challenges. The district has worked to reduce flood damage and repair public infrastructure affected by serious natural disasters and the effects of age. The district has strengthened its partnership with the Tulsa District in the management and improvement of the Arkansas River Navigation System, a vital transportation corridor of national economic significance.

Finally, the district is carrying out an aggressive plan to ensure that numerous projects to provide jobs and encourage economic development are carried out as quickly as possible in partnership with State and local sponsors. All of this is thanks to the steadfast and reliable leadership of Colonel Jackson.

The colonel has also made improved communication with the public a high priority, reflecting his understanding that we must be helpful and available to citizens as well as elected leaders, including State and local officials. Following floods in early 2008, the colonel recognized that the district needed to improve communication and coordination with local first responders, and the colonel implemented regularly scheduled meetings to ensure disaster preparedness will be a higher priority moving forward.

As Colonel Jackson leaves the Little Rock District, he leaves behind a unified civilian leadership team, high morale among the district team leaders, a legacy focusing on and responding to the concerns of citizens and stakeholders alike. For the many successes which his team have accomplished, they can be very, very proud.

As Colonel Jackson moves on to his next assignment, I am confident that he will continue to render honorable and exemplary service to our country.

RECLAIMING THE MIDDLE GROUND ON GUN OWNERSHIP

(Mr. Quigley asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Mr. Speaker, today the Supreme Court affirmed sensible restrictions on gun ownership are constitutional. When the Supreme Court struck down Chicago's gun ban earlier this term, it reiterated that communities can keep guns away from schools and out of the hands of felons and terrorists. But, today, the gun show loophole makes a mockery of sensible prohibitions like these.

As the recent Pentagon shooting illustrates, terrorists can still easily gain access to firearms. A recent gun show audit conducted revealed that 74 percent of sellers approached by investigators completed sales to people who appeared to be criminals or straw purchasers. This is unacceptable. It is time to close the gun show loophole.

Today's decision puts to rest the tired argument that any sensible gun control restriction is a slippery slope toward the revocation of all gun-owning rights. There has never been a better time for this Congress to reclaim the middle ground and stop giving terrorists unlimited access to unlimited firepower.

TRIBUTE TO LANCE CORPORAL GARRETT GAMBLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. Olson) is recognized for 5 minutes.

Mr. OLSON. Mr. Speaker, I rise today to pay tribute to Marine Lance Corporal Garrett Gamble, who was killed on March 11 while patrolling during combat operations in Helmand Province in Afghanistan. Garrett was a 2008 graduate of Stephen F. Austin High in Sugar Land, Texas. He was assigned to the 2nd Battalion, 2nd Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Camp Lejeune, North Carolina.

Garrett was a sportsman and a hockey player—that's right; a hockey player in Sugar Land, Texas—who first considered joining the Marines while a junior in high school. He was known for his personality, his sense of adventure, and his tender heart. Friends who knew him spoke of his never-ending positive spirit and ability to make
the best of a bad situation. He always put others before himself, and did so with a smile on his face and a kind word for those around him.

Garrett’s mother, Michelle, shared with me a powerful story she learned about him soon after his death. She was told that when Garrett was a freshman in high school, he took it upon himself to call the mother of a student he knew to tell her that he was worried about her son. He was concerned that her son was headed down a bad path, and he wanted her to know. Garrett never told his mom that he did that, but it made a difference in the life of another young man.

How many times have each of us had an opportunity to make a difference? Do we always seize that opportunity? Garrett Gambble not only acted on those opportunities, but touched the lives of everyone around him.

This is posted on a Facebook page dedicated to Garrett and speaks to his character in Sugar Land, Jacksonville, or Helmand, Lance Corporal Garrett W. Gambble approached life with enthusiasm. He was caring, kind, and fun to be around, but he took his job as a U.S. Marine very seriously.

“Garrett spent a lot of time ‘outside the wire,’ and yesterday, that’s where he laid down his life so that we may live in liberty. Thank you, Garrett, for the precious gift of freedom. May you rest in peace with our Lord, and may God’s angels surround your family until you are reunited. Sincerely, Pat.”

I’d like to close by reading a poem that Garrett’s family and friends say epitomizes who he was. It’s called “Ode to a Marine, Dedicated to all Marines, Past and Present.” It’s by Jeannie Salinski.

In a crowd you’re bound to spot him,
He’s standing so very tall
Not too much impresses him;
He’s seen and done it all.
His hair is short, his eyes are sharp,
But his pride is the littlest blue.
It’s the only indication
Of the hell that he’s gone through.
He belongs to a sacred brotherhood,
Always faithful ‘til the end.
He has walked right into battle
And walked back out again.
Many people think him foolish
For having no regrets
About having lived through many times
Others would forget.
He’s the first to go and last to know
But never questions why.
What’s it like to be in a war;
Don’t go and ask him
What’s it like to be in a war;
Just thank God that it’s your country
He’s always fighting for.
And thank him too for all the hell
He’s been through and all been green.
Thank him for having the guts
To be a United States Marine.
Mr. Speaker, America cannot repay
the debt we owe Garrett Gambble. But we can say thank you for his selfless commitment to serve our Nation and thank you to his family for raising such a strong, wonderful Marine. Lance Corporal Garrett Gambble is a true American hero—an ordinary American who did extraordinary things with a short life. A grateful Nation says thank you, Semper Fi, and God bless.

FUTURE OF AMERICAN SPACE EXPLORATION

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 2009, the gentleman from Utah (Mr. BISHOP) is recognized for 60 minutes as the designee of the minority leader.

Mr. BISHOP of Utah. I appreciate the opportunity of being here this morning on one of the days when obviously our time management skills are not perhaps the greatest, but it still is nonetheless an opportunity to speak on this floor before the brother, on a couple of issues that are significant. I appreciate also that I will be joined by my good friend from Texas, who just spoke so eloquently about one of those who has given his all for all of us and how grateful we are for this family and this particular individual.

I think we’re going to be hitting several different themes this evening as we talk about the future of this country, especially as it deals with space. And here, once again, I’m grateful the gentleman from Texas is here because Mr. OLSON has indeed been a leader in this particular issue in charting the future of America as far as space policy will be.

It is very easy in this environment to try and focus, first of all, on jobs. I think we will. Because, indeed, as this particular administration is going to begin their summer of recovery tour in the future of space and the importance of America as far as space policy is currently in, it seems almost ironic that administrative policies, especially with NASA, are going to create a vast amount of unemployed individuals—up to 30,000 individuals who will receive their pink slips and be unemployed specifically because of policies initiated by this administration and the current leadership in NASA.

It’s at least ironic, but we will be talking about that. However, we want to go beyond that because if you’re dealing with a very parochial issue. We’re also dealing with the future of space and the importance of space. And, clearly, if indeed this administration and the leaders of NASA today seem to be de-emphasizing the role of space in our future, other nations are not. The Russians, the Chinese, even the Indian government and the Japanese government have a unique interest in taking our position in the leadership role of space exploration. That’s another issue I think we will be talking about.

I also want to make sure that we illustrate how something that unintended consequences in our actions. This administration and, once again, NASA’s leadership did not take into effect the consequences of their program changes and the consequences that would have specifically related to our military preparedness, for indeed one of the things we have to realize is that the component pieces that go into the missiles that shoot somebody to the Moon are the same component pieces that go into missiles that shoot down rockets from our adversaries Iran or North Korea, and that if you harm the industrial base that creates one program, you harm the industrial base that creates the other, and that gives us some pause to think what we’re doing on the defense side of this country, which is clearly one of the few roles specifically given to Congress in the Constitution. Finally, I think I’d like to talk some about a communiqué that came out from the administration today as to their future in space, and say that some of the platitudes that are very nicely written in this communiqué are contradictory to the actions that indeed take place.

So with that, Mr. Speaker, I think if the gentleman from Texas is prepared to lead off, I would like to turn over all the way to Mr. OLSON from Texas, who, as I said, has for quite a while been the organizer and the leader of this effort to try and explore what this administration is doing, and maybe make some corrections, as it is the role and responsibility of Congress dealing with space. Then I will be happy to make some remarks after the gentleman from Texas has completed.

Mr. OLSON. I want to thank my colleague from Utah for allowing me to speak a little bit on an incredibly important issue to our Nation’s future. Five months ago, the Obama administration proposed NASA’s budget for fiscal year 2011. The proposal included surprisingly drastic decisions just out of the blue to cancel the Constellation program, NASA’s follow-on to the space shuttle. Constellation will provide a means and a service to utilize the International Space Station for as long as it needs to—plus, to go beyond low Earth orbit, go to the Moon and be there. But we are concerned that NASA is canceling Constellation at a time such that such a dramatic reversal risks ceding American leadership in human space flight for the future. A lot has transpired since those 5 months, but I still believe canceling the Constellation program presents unnecessary risks and raises more questions than it provides answers.
The fact that NASA and the administration cannot or will not provide cogent, comprehensive details related to such a radical policy change should alarm every Member of Congress. My colleagues and I are mainly concerned about our ability to maintain and utilize our relatively small yet highly skilled workforce: the impact on the aerospace industrial base and our highly skilled workforce, as my colleague from Utah alluded to; and the financial, programmatic, and crew-safety risk of reliance on unidentifiable crew vehicles. These concerns have not been adequately addressed by the administration. And I've long supported a balanced program that combines Constellation with an increasing role for the commercial sector, beginning with cargo flights to the space station and, over time, evolving to crewed missions. And I will continue to do so.

I'm not alone in advocating this balanced approach. As the heralded Augustine report was released, it was said that over time, within the aerospace community—even they, even the Augustine report, did not advocate canceling the Constellation. I still believe that this balance exists. Our government, aerospace, and commercial space can exist. And within the budget that's been proposed. Both of these sectors have experienced tremendous successes over the past months—notably the Orion pad abort test in May and the Falcon 9 launch just last month. Yet, rather than focus on the vital elements to maintain American leadership in space, the administration and NASA are distracted with programs that seem to spend money on anything but space.

Many of us are astonished by the misplaced priorities within NASA's budget. Instead of building and testing flight hardware, NASA proposes spending $3.9 billion to cancel Constellation contracts. We're losing American know-how. We're losing capabilities and expertise that will be difficult and costly to get back if and when our Nation decides that it wants to explore again. Our human space program does not employ people; it invests in them. And, by doing so, we strengthen our Nation's security and our economic well-being.

As if to add insult to injury, last Friday the administration came forward with a request to transfer $100 million of NASA's already limited resources to the Labor and Commerce Departments to fund an interagency task force to spur "regional economic growth and job creation." Our Nation's best and brightest engineers and technicians don't want or need an interagency task force. They'd much rather be retained and put to use with the critical skills building and flying American-built spacecraft. The administration claims to have focused on jobs, jobs, jobs. Yet it fails to recognize the destructive impact of canceling Constellation and shifting $100 million to the Labor and Commerce Departments.

So, as we look forward to the next 6 critical months, there are some things we must do. We must get answers from the administration. We in Congress must recognize the impacts on our workforce and our infrastructure. We must ensure that the final flights of the space shuttle and the continuous operation of the space station are done safely and successfully.

I am both humbled and inspired that while men and women in our human space flight programs watch us debate and question whether jobs will exist, they continue to excel and drive our Nation towards new achievements in space. Their focus, their sacrifice, their dedication and that of the men and women who came before them have enabled the United States to be the global leader in human space flight. Let us work to keep it that way.

If my colleague from Utah would let me, I would like to read this just to show you how important it is to the American people and the people that are opposed to the administration's plan. This is the letter that ran in the Orlando Sentinel prior to the President's speech in Florida on April 15. And I think it's worth reading because our Nation's experts and heroes in human space flight, this is how they feel about this administration's budget proposal:

"Dear President Obama, America is faced with the near simultaneous ending of all space programs and your recent budget proposal to cancel the Constellation program. This is wrong for our country for many reasons. We are very concerned about America ceding its hard-earned global leadership in space technology to other nations. We are stunned that, in a time of economic crisis, this move will force as many as 30,000 irreplaceable engineers and managers out of the space industry. We see our human exploration program, one of the most inspirational tools to promote science, engineering, and math to our young people, being reduced to mediocrity. NASA's human space program has inspired awe and wonder in all ages by pursuing the American tradition of exploring the unknown. "We strongly urge you to drop this misguided proposal that forces NASA out of human space operations for the foreseeable future. For those of us who have accepted the risk and dedicated a portion of our lives to the exploration of outer space beyond low Earth orbit; and we need to develop the Constellation. We need to get beyond low Earth orbit; and we need to explore, explore like Americans have been doing ever since our forefathers left their homes to come to this country."

Mr. BISHOP of Utah. I appreciate the gentleman from Texas, the points that he made and especially the poignant letter that came out and illustrating how the overwhelming majority—in fact, I would say the overwhelming majority—of our retired astronaut core feels very strongly that Constellation was the right approach for this country to do and that we should continue on with that particular approach.
It's important. And I would hope the gentleman from Texas would stay here and try to fill in the blanks where I miss those, if we could.

There was quick mention, once again, as I said, on the jobs that we are talking about. The Vice President recently sent out a press release, announcing that he was going on his summer tour to tout the "Summer of Recovery." Now, amongst the bullet points that they put in that press release, one that this administration would be proposing programs to build up to 30,000 miles of new roads, up to 2,000 new water programs, up to 80,000 homes that might be weatherized, 800 jobs here, some there, asking this country to add a non-germane issue to the military supplemental to try to protect government worker jobs.

And I just find that so ironic, as was mentioned, that at the same time we were doing that, the policies of this administration with regard to NASA contract the take between 20,000 and 30,000 people who are part of the private sector, who are doing these jobs well—many of them being scientists and engineers—and they're basically giving them the pink slip at the same time. I know how we're trying to build jobs in some other way. It simply does not compute that that is the way we're doing it.

I readily admit, some of these jobs that have been threatened and have been removed from companies, some of the companies, who is just in his mid-fifties and was just released simply because this is the policy of this particular administration. And I would love to be able to go to him and say, Ray, the reason that your terminated was because the government decided to try to save money. The problem is, none of these jobs that are going to be eliminated save the government a dime.

In fact, it is true that this administration is asking for a $6 billion increase in the NASA budget even though they are going to be stopping the manned space program and throwing up to 30,000 high-paying jobs, employees who have proven their worth for years, through thick and thin. Out. There are some people who said, Well, the new programs would create new jobs within the NASA-private sector relationship. Yet the most they're talking about is maybe up to 10,000 jobs to be offset by the 30,000 that we're losing. That's a three-to-one loss in the process that is there.

For a fraction of that $6 billion of new additional money above and beyond what we're already spending to be focused directly on Constellation, we could continue this program to a successful conclusion. And once again, jobs, I recognize, are parochial. I am part of that situation. But it seems ironic that in an era in which we're talking about jobs and job creation, and more jobs and job creation and realizing that we're never going to get out of these economic doldrums that we're in until we actually do have jobs, we are as a country, as a nation, continuing a policy to try to throw out 30,000 people who have proven their net, who have proven their worth and are moving this country forward. It just flat out does not make sense.

Mr. OLSON. If my colleague would yield, you're right; it absolutely doesn't make sense. And these just aren't some engineers who have just been doing it for a passing amount of time. These are the best in the world at what they do. These are the rocket scientists of America who led our dominance in human space flight. They have been the best for 50 years. Having been a naval officer, one thing I can tell you, in government agencies like NASA, like the military, you depend on these people. You depend on their information to the young people coming up, the new generations who take that information, take that knowledge and exploit it and develop even better vehicles, better space exploration. We're going to lose that. These people are going to walk out the door and take that expertise with them.

If we try to decide as a Nation that we want to rebuld that at some point in the future—we're not going to be able to do that. Those people are going to be gone, and we are going to have to start over from scratch and teach a new generation of young Americans the lessons we learned from going to the Moon and spending 6 months in orbit at the space station. We've learned those things.

And I agree with you on the terms of the priority of the budget. This is the second largest cut in the entire budget, the Constellation program. I mean, that is the largest cut. So you figure, okay, if we're going to cut this money out of the budget, we're cutting the funding to the agency. No, as my colleague alluded to, we're actually giving $6 billion over a 5-year period to develop global warming research, to transition to these commercial launch vehicles. And I think our priorities are just wrong here. They're wrong for, certainly, our workforce; but they're wrong for America.

One of the issues especially is because this administration is cutting the edge of science. It was granted last year by Time magazine as one of the 50 best inventions of the year. The administration doesn't seem to realize all the implications of killing this budget. We're killing 30,000 jobs, the best in the world at what they do. We're going to cede U.S. dominance in human space flight, give up some national security possibly, and we are going to lose the imagination of our youth. And I also must add, we don't give NASA enough credit for all the things they've developed for us back here on Earth. I mean, everybody here in this gallery has somehow benefited from NASA and their research up there.

If you've got a cell phone, if you've got a satellite GPS, if you've got a pacemaker or some sort of medical device, that's come from NASA. That research has come from NASA, and we're going to throw that away with this budget. That's why we're working very hard to stop it. And I wish the administration would just sit down and talk with us because, Mr. President, you have a voice, but you don't have the floor. The United States Congress, under the United States Constitution, has the final word.

Mr. BISHOP of Utah. I appreciate the gentleman from Texas, if I could reclaim the time briefly. Changing from just the concept of jobs and, indeed, the future of space and especially to put the emphasis on the fact that, what are we going to do to inspire people to go into science and math and become the engineers of the future. Let's face it, if you only build one new plane for our military once every 40 years or if we're only doing one new adventure into space once every 30 years, that doesn't inspire somebody. In fact, supposedly one of NASA's new goals is to try to encourage education into space. And I think, as the gentleman from Texas clearly cited—Mr. President, they're realizing, if you are at a whim firing 30,000 engineers and scientists, that doesn't give you a whole lot of encouragement to try to move into that particular area.

One of the issues especially is because Constellation is at the cutting edge of science. It was granted last year by Time magazine as one of the 50 best inventions of the year. In fact, it was number one of the 50 best inventions of last year, and it shows that what we are doing is right. This is the right approach, and this is the approach that is being threatened by the policies of this administration and the current NASA leadership.

The space shuttle had a couple of very sad disasters. In the last one, there was a study made on how to avoid that in the future, and they said, The most important thing we can do—and I think every astronaut understands this, which is maybe why so many of them signed that particular letter from which the gentleman from Texas clearly cited—Mr. President, this will never be effective if, number one, the safety of our astronauts isn't in the most primary and utmost position;
and, number two, you have a clear, understandable and stated goal—what we are going to accomplish.

It is true that during the Bush administration, we decided to halt the space shuttle program. It had run its course. We have been very successful in going to the space station and back, but there were some issues that we needed to go beyond simply space shuttle. So the effort was made to try our best minds together and see where we could go into the future that would meet those two goals: a clear statement of purpose and safety. And the reality of that was Constellation. This is the safety concept. This Constellation program is designed to be safer than the space shuttle by a factor of 10.

It was recognized that if you want to try and stop some of the catastrophes we’ve had today, you separate the cargo from the passengers. That’s what Orion does in that process, allows a safety valve for the safety of the passengers, in this case, the astronauts. And in addition, we clearly realized that one of the keys is with solid rocket propellants because it is much safer than liquid propellant, perhaps not as powerful, but certainly much more controllable. And, once again, the concept of safety is important. This is the future, if you really care about astronauts.

And the second one was the goal is very clear. The design was for a specific goal. The intent was for a specific goal. And I don’t want to be disparaging to this administration, but the apparent goal of this administration with spaceflight is some day, maybe in that window. We’re going to take 5 years to develop a design and make development designs for heavy-lift vehicles, and then we’re going to build that 5 years from now. That’s not what makes NASA great.

You give these people a goal, give them a time frame and give them the resources they need to do it, they will do it. Every time in our history, they’ve made some of the greatest technological advancements that mankind will ever know. And again, this administration, by itself, doesn’t know what it will cost, and that’s why they’re budgeting very high.

What the President and the NASA leaders are talking about when they say, well, we’re going to commercialize the future of space is not really changing the philosophy that we’re going. All they’re doing is they’re going to take the contracts from those who have them now, building Constellation, take those people, and then we will give some of that extra NASA money that we are going to be appropriating to other companies in the private sector who are going to be winners in the values that this administration places on those particular companies.

In fact, the companies that are talking about the so-called commercialization of space already are under contract with NASA. They are already being subsidized by NASA. They are already behind in their programs with NASA, and they are asking for more Federal dollars for NASA.

So, once again, I oftentimes hear, well, this is an administration that wants to totally change the way we deal with space and they want to try and commercialize everything. That’s a cute word, but the reality is you’re simply having some people in the private sector who will lose their jobs so...
the administration can pick other people in the private sector to have jobs, and not necessarily on a one-to-one ratio.

There is no such thing as commercialization of space or these programs, and we are not trying to come up with a free-for-all approach to the territory of space. This is simply the government picking winners and losers among a lot of people who are out there in the private sector. The 30,000 jobs that are going to be lost are not government jobs, they're private sector jobs.

Mr. OLSON. Yes, sir. My colleague from Utah makes a great point, if he'd yield a little time.

Mr. BISHOP of Utah. I yield.

Mr. OLSON. Certainly commercial has a place in our future, but they are not anywhere near being ready to do what this administration wants them to do, carry cargo to a space station. They're not there yet. They've had one launch. That's a long, long way to go from being able to carry cargo up to and from the space station.

More important, astronauts, human beings, that is a much, much greater challenge than carrying cargo, and they've got a long way to go. When I talk to experts back home, they say a decade would be a good number for the commercial operators to have manned vehicles. And they've got a long, long way to go.

And one thing I'm concerned about is safety. As my colleague from Utah alluded to earlier tonight, safety is paramount. I mean, we need to do what we've done at NASA. The 50 years they've been in existence, they have put safety of astronauts as the number one concern. And it is a very, very risky endeavor that they do. And we've got to make sure that safety is put first, and that's one of my concerns with these commercial operations.

Again, as my colleague alluded to, economically, it's no different than what we're doing now. But it concerns me that we're going to have people who don't understand NASA's—the safety that's required. And they think that just because they get cargo to the station, they can get crew to the station.

Wrong. You have to do—there's so much more to carry a crew to and from the space station. You've got to insure they're safe. You've got to have the redundancy to the redundancy to the redundancy. You've got to have the backup to the backup system to ensure that if anything happens to that vehicle from the time it pulls off that pad till the time it gets to the station and comes back down that the crew has the ability to get home safely. And I'm concerned that's one thing that this President's budget proposal doesn't take into account.

Mr. BISHOP of Utah. I appreciate that.

And reclaiming the time once again, I'm glad we're talking about the fact that there are real people in the job market that we're going to be harming. I'm glad we're talking about the overall purpose of our space exploration program and what it means to them. I'm glad the gentleman ticked off a bunch of areas. I mean, let's face it. When my kids were growing up, the fact that I could put their shoes on with Velcro was a major advantage than trying to tie their shoes. We have those concerns.

I'm glad that we're talking about the fact that the Constellation is the future. It is the best science that we have. It is the safest way of going forward. As I said earlier, I'm going to argue about the fact that we're not, this entire idea that we're going to privatize our space program which has caught the fancy of some of our colleagues who aren't real-ly perhaps deeply involved in the Science Committee, as the gentleman from Texas is, to realize that's not what we're talking about here. All we're talking about is, once again, government picking winners and losers amongst the private sector to go on with programs that will still be subsidized by taxpayers. And in some respects, perhaps this is right approach to do it.

If I could take us into one other direction just for a minute as well, and perhaps this comes back to one of my areas of concern, which is I'm on the Armed Services Committee. One of the things that this particular administration failed to do when they announced their new program of canceling Constellation for whatever new goal that they want to have in the future is they failed to communicate with other members of the administration and with other policies and programs within government to see what the impact would have in other government areas. And once again, I'm specifically talking about our military defense system.

As I said in the very beginning, we forget that the people who build rockets and have the component parts to put a man to the moon are the same people who build archives and build rockets that shoot down incoming missiles from other countries.

If, indeed, we are going—and once again, as was mentioned earlier, the industrial base that creates these jobs is not something you can turn on and off like a spigot on a water fountain. You can't just decide today we're going to have these scientists; tomorrow we'll fire them and turn it off, and then the next day we'll just open it up and they'll be there again.

What will we do? If we decimate Constellation, is we're decimating the industrial base that builds our Defense Department missiles at the same time.

The House authorization bill has in-tent language that tries to quantify what this is because, to be honest, as we started our hearings this year on authorization bills, both for NASA as well as for the Defense Department, we simply asked the question that if, in-deed, Constellation is taken out, what impact that has to the military. And it was clear that the military had never been broached. They had never talked about this. They had not antici-pated it. However, reports going over a year now, going back to Congress simply said that there would be dev-astating circumstances and harmful consequences if, indeed, Constellation was stopped for the military side.

This language will be presented in the House authorization bill, it simply says that the best esti-mate we have right now is the cost of military defense on everything that deals with the missile, any kind of pro-grams that will be the kinetic energy system, even the fact that we are losing the expertise and our industrial base. And, indeed, off-ten these programs have a fixed cost to them, so if, indeed, you have to have propulsion in there, there's a fixed cost. If you have less of that, the military will be picking up what is now being shared as far as the cost with NASA at the same time.

Our land-based missile system, our kinetic energy system, even the fact that some of our laser systems in the future will have a negative impact simply because the industrial base that builds those missiles for our military is the same industrial base that builds missiles, the component part, the labor, the propulsion system for NASA for Constellation.

Mr. OLSON. Would my colleague yield? You hurt one, we will hurt the other. And that was a factor that was never considered by the Congress or NASA when they came up with their quick decision to try and stop Con-stellation for something else, some nebulous policy in the future.

Defense of this country is the role of Congress. It's a legitimate question. This administration should have asked those questions ahead of time before they announced the policy. They should have understood what the costs would be and how they planned to han-dle that cost. As it was, it kind of snuck up on everybody. And now people are trying to play catchup. And the best way of solving that problem is simply go with the winning program, which is Constellation, and continue on with the goal that is safe and has a clear, concise goal message to it. Don't lose the jobs, don't lose the industrial base, don't increase the costs for our military. And let us move forward in an organized, rational approach rather than the piecemeal approach that takes place at some particular time.

Mr. BISHOP of Utah. I appreciate that.
Mr. BISHOP of Utah. Yes, I will be happy to yield.

Mr. OLSON. One thing I am concerned about, as my colleague knows, is the fact that this administration is making NASA a partisan issue in many ways. And to me, I am one who proposed this budget or who put it together, but they certainly didn’t outreach. It seemed like a very small group of individuals at the White House over at OMB who made these decisions that have dramatic impacts for our Nation.

As you alluded to, I don’t think they talked to any of the defense contractors, particularly the ones that developed the missiles for our strategic nuclear deterrence. As I understood it, nothing. They heard nothing. I represent the Johnson Space Center, the home of human space flight. Our center director, when I called him up on February 2 just to sort of get how are people doing, what’s the mood there, those types of things, particularly to the military and the Navy. One of the standard things was, if you are going to make a radical change in a program, you went and talked to the committees of jurisdiction, the chairman, the ranking member, and at least sort of gave them the courtesy of what you were planning to do. And I am unaware of anything like that happening.

And again, they are playing politics with this. This thing we are doing with the termination liability, the Anti-Deficiency Act, where they are using—we think it’s unprecedented. We are doing some research to find out if it’s ever been done in the past. As my colleague knows, what’s basically done is, NASA has told the contractors you are going to have to hold some money in reserve for termination liability. You can’t spend that on developing rockets and human space flight. You are going to have to hold that in an account in case things go bad. And what did the companies have to do? The money they were holding for September 30 is now going to be dried up sometime in the middle of August. The only solution they have is to lay off those people. And I am unaware of any outreach from the administration to any Member of Congress prior to this decision being made. I am a freshman here as a Member of Congress, but I have been on the Hill for a number of years, particularly in the military and the Navy. One of the standard things was, if you are going to make a radical change in a program, you went and talked to the committees of jurisdiction, the chairman, the ranking member, and at least sort of gave them the courtesy of what you were planning to do. And I am unaware of anything like that happening.

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And again, I don’t want to be skeptical, but that gets the administration more of what they want. If those people go, we are going to have a hard time getting them back, and the costs are going to go up. We need to stop this. We can’t make NASA a partisan issue. It’s been a bipartisan issue. That’s its strength. Every American loves human space flight, is proud of America, what we have done in orbit and what we have done on the Moon. And we’ve got to go beyond that. And Constellation, as my colleague alluded to, is the best, most tried way so far to do it. There is no reason to get off that path.

Mr. BISHOP of Utah. If I could reclaim my time very briefly here again, and once again I appreciate you making those points, because they are spot-on accurate. Congress made its voice very clear last year when we specifically made NASA’s hard task of our program of record, and you will not cut funding to Constellation. It’s very clear that Congress has never changed that position. Well, this is speculation, but nor do I think we would, given our own choice of what to do.

But as the gentleman from Texas clearly illustrated, there are some things that NASA is doing right now that appear—I don’t want to try and ascribe motives—but they appear clearly to try and force the issue so that by the time Congress comes up with a budget and appropriations process and language directing what the bureaucracies will do, in this case NASA, that this will be a fait accompli.

So the effect of withholding the derivatives was not a reduction of their contracts, but it had the same effect. The idea of taking the Constellation manager and reassigning him had a specific effect. And then, as you alluded to, the companies that they are going to have to hold out closing costs, which has never been done in NASA before, in fact there was only one time where Congress did tell them in some way, shape, or form that they needed to close a program, but that’s when Congress told them to close a program down, not when they were trying to close it down before Congress has a chance to react to it. But what that would do is simply force them to fire people now so the industrial base is gone before anything takes place.

And that is a strange approach for any kind of executive branch of government to do when the legislative branch has yet to give them any clear direction that’s what we want to do, or has spoken. In fact, everything we have said so far is the exact contrary to that. So I appreciate that.

If I could just put one last thing in, and that gentleman from Texas again. The government apparently put out the National Space Policy of the United States today. It’s an interesting document. It says that we should have a robust and competitive commercial space sector, which is good. But I promise you, if you take all the jobs away from those who are doing Constellation, there will not be a robust or competitive space program.

They say that we should strengthen U.S. leadership in space-related science. Now, once again we have said over and over again if indeed you stop Constellation, you are ceding leadership in space-related science. We’re not creating leadership. They say we should retain skilled space professionals. Once again, what is happening today is the exact opposite of this effort or this directive.

They say we should reinvigorate U.S. leadership. You don’t reinvigorate something if you destroy the program that is our program of record that will move us towards a leadership position. I find this document unusual.

Now, I haven’t had a chance to read everything that is in it, but certainly certain things come glaring out in the process of just skimming through it, saying that what we are doing is not necessarily what our words are. If our words here were towards our policy is, I would be very happy and content. But what I see happening is not what this policy statement says that we should be doing.

Let me just read where if we really do understand what we are doing in space.

And we've got to go beyond that. And Constellation, as my colleague alluded to, is the best, most tried way so far to do it. There is no reason to get off that path.

Mr. OLSON. If my colleague would yield very briefly again, I am just very scared that this administration is turning NASA into a partisan political football, and it’s never been that way. Let me read just another quote again from the letter I read earlier that was put together by Walt Cunningham, who was one of our first return-to-flight astronauts after the Apollo 1 disaster. Walt flew in the first Apollo mission. And he has been very adamant and very clear about how he feels this change, this radical budget is going to affect our human space flight future.

And we've got to go beyond that. And Constellation, as my colleague alluded to, is the best, most tried way so far to do it. There is no reason to get off that path.
Mr. BISHOP of Utah. If I could just reclaim for just one particular second right here. Once again, and I appreciate you bringing that point out, I think the pushback or the outrage in Congress has been a bipartisan pushback and outrage. Republicans and Democrats alike have said the approach this administration is taking is not necessarily the right approach. Because indeed, Constellation is a safer, better system than the space shuttle. It is the new way forward. It shows what is the best and the brightest that this country has to offer. It is something that makes us good and makes us noble. It is the direction we should go into the future.

And for us to back off now for some program that is not clear, is not understandable, has no discernible goals, that’s just not the way a country moves forward. It is indeed the way a country moves backwards, and this country should not be moving backwards.

I appreciate the gentleman from Texas’s leadership on this particular issue, everything that he has been doing in organizing our review, our reports, our complaints, as we try and say what we need to do is do that which moves the country forward and ennobles us as a people. Constellation does that. A clear space mission does that. A manned emphasizing safety for astronauts does that. That’s what we need to continue on. And I’m sorry, but what NASA is asking us to do right now does not meet those goals.

I yield back for any concluding statements the gentleman has.

Mr. OLSON. Yes, I will be very brief here. You are very aware of the Orion Pad Abort, the very successful launch test we had I believe it was in late April or early May. Good chance you could get a Time magazine from this upcoming year, and that’s going to be on the cover of that magazine. That was a flawless, flawless test.

In fact, if you remember, the rocket got off the pad quickly at White Sands that the cameras that are there to track rockets—I mean they are there to track all rockets—couldn’t keep up with it because it was moving so darn fast. And that’s the program of record.

And I will just conclude by saying what I tell people all across this country. The President and the administration have a voice in this process, but they don’t have the final word. The United States Congress has the final word. And I am confident that at the end of the day, Constellation is still going to be the program of record. I thank my colleague, and yield back my time.

Mr. BISHOP of Utah. Thank you. Mr. Speaker, I appreciate your time and efforts. We yield back.

CONGRESSIONAL BLACK CAUCUS HOUR

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 6, 2009, the gentlewoman from Ohio (Ms. FUDGE) is recognized for 60 minutes as the designee of the majority leader.

(Ms. FUDGE asked and was given permission to revise and extend her remarks.)

Ms. FUDGE. I appreciate the opportunity to anchor this Special Order hour on Wall Street reform for the Congressional Black Caucus. Currently, the Congressional Black Caucus, the CBC, is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California.

Ms. FUDGE. Speaker, I now yield to our chair, the Honorable BARBARA LEE.

Ms. LEE of California. Thank you very much. Thank you, Mr. Speaker. Let me thank Congresswoman FUDGE for once again being on the mark in terms of the Special Order tonight. She has taken the leadership on behalf of the Congressional Black Caucus to anchor the Wall Congressional Black Caucus to the country. Tonight, Congresswoman FUDGE will be talking about the urgent need to enact regulatory reform of America’s financial markets.

So thank you for your leadership. I know your district is going to benefit tremendously from this. Oftentimes we forget that regulatory reform also has a direct impact on the huge foreclosure crisis that I know your district is facing. So thank you again for your leadership.

Let me just thank, first of all, all Members who were on that Financial Services Committee for such a major effort to take this important step in protecting Americans from another financial crisis. While many provisions in the bill could be much stronger, I believe that H.R. 4713 is a critical step forward in bringing some reasonable regulations and oversight back to an out of control financial services sector.

I actually was on the Banking Committee during much of the deregulation process and could not support it then. And unfortunately, what those of us on the committee saw happening and said would happen has happened. But now not only do we have the opportunity to make our banks and financial services institutions much more transparent, put consumer rights before corporate profits, and allow shareholders more of a say on skyrocketing CEO pay packages. While I would have preferred a standalone Consumer Financial Protection Agency, this bill will create an independent agency that remains independent and puts consumers first. I am pleased that more transparency on CEO pay is included in these reforms. While I might have preferred some reasonable constraints, like my bill that would limit tax deductibility of executive pay, allowing shareholders to have a say on pay is a good step forward.

I remain concerned about our continued risks on risky derivatives trading, limits on proprietary trading by our biggest banks, and controls over the operations of ratings agencies may not be strong enough to prevent continued risk to our markets and taxpayers. I had hoped that more could be done to ensure that banks pay for their failures. But I know that we must pass these reforms, and we must pass them now.

So I hope that my colleagues across the aisle will join us in the effort to protect consumers, shareholders, and the open and honest functioning of the financial markets that are so critical to our continued prosperity. I hope that we have all come to understand how ridiculous it is to claim that the markets can regulate themselves, and that we can agree that the government has a critical role in ensuring that our financial services sector functions fairly, with transparency, and allows equal opportunity for all Americans.

I look forward to working with the regulators as they begin to implement these new protections for investors and consumers. I hope they will work together to make sure that we are never again, never again held hostage to out of control greed on Wall Street and regulators who really were asleep at the switch.

Thank you again. Thank you, Congresswoman FUDGE, for your leadership.

Ms. FUDGE. Mr. Speaker, I just want to continue to express my support for our Chair. She is very strong and courageous and keeps us on task. I just appreciate her hard work and leadership, not only for the Congressional Black Caucus but for our caucus in general. Thank you very much, Madam Chair.

Mr. Speaker, tonight we will focus on the need for this Wall Street reform that Americans have been waiting for. Americans have faced the worst financial crisis since the Great Depression. Millions have lost their jobs, businesses have failed, and savings have been wiped out. A year and a half after the country’s banking system nearly imploded, it is still operating under the same inadequate rules and regulations. The failures that led to this crisis require bold action. We must restore responsibility and accountability in our financial system to give Americans confidence and the protections they need. We must create a sound foundation to grow the economy and create jobs.

This is in fact why Congress is set to vote this week on the Wall Street Reform and Consumer Protection Act. Despite vigorous lobbying from the banks, this bill protects the American people and the financial system from abuses that nearly caused the entire system to collapse. This bill contains commonsense reforms that hold Wall Street and the big banks accountable.

It will end bailouts by ensuring that taxpayers are never again on the hook for Wall Street’s risky decisions. It will protect families’ retirement funds, college savings, homes and businesses’ financial futures from unnecessary risk
by CEOs, lenders and speculators. It will protect consumers from predatory lending abuses, from the fine print and industry gimmicks. And it will inject transparency and accountability into a financial system that has run amok.

Wall Street is good for our country because it is a critical step to create jobs and grow the economy. Years without accountability from Wall Street and the big banks have cost us 8 million jobs. Having a healthy financial system will help spur lending to businesses of all sizes, which will grow our economy. As we rebuild our economy, the new commonsense rules from this bill will ensure that big banks and Wall Street can't play games again with our futures.

Americans want fairness, Mr. Speaker. They deal openly and honestly with their banks, and they want their banks to treat them like the good customers that they are.

There was a meltdown. For 8 years, Mr. Speaker, under the previous administration, our allies on the other side of the aisle looked the other way as Wall Street and the big banks exploited loopholes. Americans had no clue that Wall Street barons were gambling your money on complex schemes and being handsomely rewarded for failure and for recklessness. America's families and small businesses paid the price. We lost 8 million jobs and $17 trillion in retirement savings. The nation's net worth in this meltdown. It was the worst financial crisis since the Great Depression.

There are tough choices. This Congress and our President, President Obama, have made tough choices and taken effective steps to bring our economy back from the brink of disaster. The Recovery Act has already saved or created up to 2.8 million jobs and much of the TARP has already been repaid. But more must be done.

The next step is the Wall Street reform. It is a critical step to create jobs and grow the economy. As we rebuild our economy, we must establish commonsense rules to ensure big banks and Wall Street can't play Russian roulette again with our futures. Wall Street may be bouncing back, but we know from experience they are not going to police themselves.

Let me just talk a bit about what is in this legislation. This bill protects hardworking Americans from the worst abuses in the financial industry. I'd like to share with you just some of the consumer protections that are included in this bill: There is protection for families and small businesses by ensuring that bank loans, mortgages, and credit card terms and disclosures are fair and understandable. Transparency in the industry will be overseen by the new Consumer Financial Protection Agency. Credit card companies will no longer be able to mislead you with pages and pages of fine print. You will no longer be subject to hidden fees and penalties, or the predatory practices of unscrupulous lenders. This bill will make lending agreements easier to understand and protect small borrowers.

It ends predatory lending practices that occurred during the subprime lending frenzy that this country experienced. The legislation outlaws many of the riskiest financial practices that led to the subprime lending boom. It ensures that mortgage lenders make loans that benefit the consumer. It would establish a simple standard for all home loans: institutions must review an applicant's ability that borrowers can repay the loans they are sold. This legislation will force mortgage companies to play by the rules. You'll be empowered with easy-to-understand forms. And you'll have clear and concise information to make financial decisions that are best for you and your family.

Financial firms will no longer be able to engage in behavior that is so risky rating agencies often fail to see it in time to bring down the entire economy. This bill replaces taxpayer bailouts with new procedures to unwind failing companies that pose the greatest risk. This wind-down process will be paid for by the financial industry and not by taxpayers.

It produces tough new rules on the riskiest financial practices that gambled with your money and caused the financial crash, like the credit default swaps that decimated AIG, and commonsense regulation of derivatives and other complex financial products offered to consumers.

It provides tough enforcement and oversight with more enforcement power and funding for the Securities and Exchange Commission, including the registration of hedge funds and private equity funds. It provides enhanced oversight and transparency for credit rating agencies. It gives shareholders the right to vote on compensation plans.

It protects investors. It strengthens the SEC's power so it can better protect investors and regulate the Nation's financial system. It limits egregious executive compensation, allowing a "say on pay" for shareholders, requiring independent directors on compensation committees, and limiting bank executive risky pay practices that jeopardize the safety and soundness of banks.

As a member of the CBC, one important part of the bill I would like to highlight is the new Offices of Minority and Women. At Federal banking and securities regulatory agencies, the bill establishes an Office of Minority and Women Inclusion that will, among other things, address employment and diversity contracting opportunities with the Federal Government. The offices will coordinate technical assistance to minority-owned and women-owned businesses and seek diversity in the regulatory workforce. By actively engaging minorities and women, the Nation's financial system will become stronger.

Mr. Speaker, nearly 2 years after our Nation's financial system stood on the verge of collapse, Congress is working hard to protect American consumers and to grow our economy. The Wall Street Reform and Consumer Protection Act will accomplish both goals. This sweeping new legislation will modernize America's financial rules in response to the worst economic crisis since the Great Depression. Once signed into law, these tough new regulations will hold Wall Street accountable, it will end taxpayer-funded bailouts, and protect Americans from unscrupulous big banks and credit card companies. Wall Street reform is a win for the American people. This is about making the system fair and accountable. The financial crisis that unfolded in 2008 should never have happened. But since it did, this Congress has been working hard to develop legislation that will prevent a future crisis.

I support the Wall Street Reform and Consumer Protection Act because it includes commonsense reforms that hold Wall Street and the big banks accountable for most of all, Mr. Speaker, this bill supports the American people. Let's give Americans what they deserve—fairness in the financial system.

### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BOOZMAN) to revise and extend their remarks and include extraneous material):)

- Mr. POE of Texas, for 5 minutes, July 2.
- Mr. JONES, for 5 minutes, July 2.
- Mr. BURTON of Indiana, for 5 minutes, July 2.
- Mr. MACK, for 5 minutes, today.
- Mr. BOOZMAN, for 5 minutes, today.
- Ms. ROS-LEHTINEN, for 5 minutes, today and June 30.
- Mr. OTISON, for 5 minutes, today.
- Mr. FORBES, for 5 minutes, June 29.
- Mr. MCHENRY, for 5 minutes, June 29, July 1, 2.

### BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on June 24, 2010 she presented to the President of the United States, for his approval, the following bills.

H. R. 3962. To provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes.

### ADJOURNMENT

Ms. FUDGE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; according to accordingly (at 7 o'clock and 27 minutes) under its previous order, the House adjourned until tomorrow, Tuesday, June 29, 2010, at 9:30 a.m. for morning-hour debate.
EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

8122. A letter from the Principal Deputy, Department of Defense, transmitting letter providing for a commercial helicopter under contract with the Department was destroyed by hostile fire; to the Committee on Armed Services.


8124. A letter from the Director, office of Policy, Reports and Disclosures, Department of Labor, transmitting the Department’s final rule — Notification of Employee Rights Under Federal Labor Laws (RIN: 1215-A770; 1245-A100) received June 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8125. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting the 2009 management report and statements on system of internal controls of the Federal Home Loan Bank of Atlanta; pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

8126. A letter from the First Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the management report and statements on system of internal controls of the Federal Home Loan Bank of Boston, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

8127. A letter from the President, Federal Home Loan Bank of Cincinnati, transmitting the 2009 report and assertions on system of internal controls of the Federal Home Loan Bank of Cincinnati, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

8128. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — 2010 Annual Determination for Sea Turtle Observer Requirements (Docket No.: 0961106-007-02) (RIN: 0666-XP96) received June 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8129. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fisheries; 2010 Atlantic Deep-Sea Red Crab Specifications (Docket No.: 100105009-0167-02) (RIN: 0648-XP96) received June 4, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8130. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Colorado Advisory Committee; to the Committee on the Judiciary.

8131. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Louisiana Advisory Committee; to the Committee on the Judiciary.

8132. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Oregon Advisory Committee; to the Committee on the Judiciary.

8133. A letter from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting notification that a transfer of $1 million from the Oils Spill Liability Trust Fund to the Emergency Fund has occurred; to the Committee on Transportation and Infrastructure.


8135. A letter from the Secretary, Department of Energy, transmitting the Department’s report to Congress concerning the Mixed Oxide (MOX) Fuel Fabrication Facility being constructed at the Department’s Savannah River Site near Aiken, South Carolina, pursuant to 50 U.S.C. 4306(a)(3); jointly to the Committees on Armed Services and Energy and Commerce.

8136. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a joint report that describes activities related to the Proliferation Security Initiative, including associated funding, that are planned to be carried out by the United States over the next fiscal years; jointly to the Committees on Foreign Affairs and Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAHALL: Committee on Natural Resources. H.R. 1554. A bill to take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, and for other purposes; with an amendment (Rept. 111-513). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 2440. A bill to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act; with an amendment (Rept. 111-514). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 4445. A bill to amend Public Law 89-232 to repeal a restriction on treating as an Indian country certain lands held in trust for Indian pueblos in New Mexico; with an amendment (Rept. 111-515). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HALL of New York (for himself and Mr. MCDERMOTT): H.R. 5609. A bill to amend the Federal Election Campaign Act of 1971 to prohibit any registered lobbyist whose clients include foreign governments which are found to be sponsors of international terrorism or include other designated non-state sponsors of terrorism, contributions and other campaign-related disbursements in elections for public office; to the Committee on House Administration.

By Mr. GORDON of California (for himself, Ms. WOOLSEY, Mr. FINKBEINER, and Mr. FARR):
H.R. 5610. A bill to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers; to the Committee on Education and Labor.

By Mr. LEVIN (for himself, Mr. OBERSTAR, Mr. MICA, Mr. COSTELLO, Mr. FETTEN, Mr. CAMP, and Mr. LEWIS of Georgia):

R. 5611. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. THOMPSON of California, Ms. BERKLEY, Ms. GIFFORDS, Mr. McDERMOTT, and Mr. GARAMENDI):

H.R. 5613. A bill to extend the Internal Revenue Code of 1986 to temporarily increase the investment tax credit for geothermal energy property; to the Committee on Ways and Means.

By Mr. COHEN (for himself, Mr. ARCURI, Mr. DeFAZIO, Mr. FILNER, Mr. KAGEN, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. TONKO, Mr. TIERNEN, and Mr. YARMUTH):

H. Res. 5613. A bill to require that vessels used to engage in drilling for oil or gas in ocean waters that are subject to the jurisdiction of the United States must be documented under chapter 121 of title 46, United States Code; to the Committee on Transportation and Infrastructure.

By Mr. ADERHOLT (for himself, Mr. BACHUS, Mr. BISHOP of Utah, Mr. BUNNER, Mr. CHAFFETZ, Mr. COFFMAN of Colorado, Mr. DAVIS of Tennessee, Mr. GRIFFITH, Mr. HALL of Texas, Mr. LATTMA, Mr. LATOURNETTE, Mr. OLSON, Mr. POSKY, Mr. ROGERS of Alabama, and Mr. ROYCE):

H. Res. 5614. A bill to impose certain requirements on the expenditure of funds by the National Aeronautics and Space Administration for the Constellation program; to the Committee on Science and Technology.

By Mr. BILBRAY:

H. Res. 5615. A bill to extend the Internal Revenue Code of 1986 to repeal the medical device tax, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself and Mr. LARSON of Connecticut):

H. Res. 5616. A bill to authorize appropriations for the National Historical Publications and Records Commission through fiscal year 2015, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. McDERMOTT (for himself, Mr. BLUMENAUER, Mr. SARAHANES, Ms. SCHWARTZ, and Mr. THOMPSON of California):

H. Res. 5617. A bill to amend the Internal Revenue Code of 1986 to provide for home energy consumption credits; to the Committee on Ways and Means.

By Mr. McDERMOTT (for himself and Mr. LEVIN):

H.R. 5618. A bill to continue Federal unemployment programs; to the Committee on Ways and Means, and in addition to the Com-
H.R. 4894: Mr. DJOU.
H.R. 4943: Mr. Scalise.
H.R. 5081: Mr. Carson of Indiana and Mr. Braley of Iowa.
H.R. 5211: Mr. Carson of Indiana.
H.R. 5234: Mr. Barrow and Mr. Kingston.
H.R. 5244: Mr. Boozman.
H.R. 5258: Mr. Daniel E. Lungren of California and Mr. Issa.
H.R. 5369: Mr. Rothman of New Jersey and Mr. Serrano.
H.R. 5388: Mr. Hastings of Florida and Mrs. Capps.
H.R. 5399: Mr. Baca.
H.R. 5374: Mr. Smith of Texas and Mr. Bilaray.
H.R. 5426: Mrs. Emerson and Mr. Hill.
H.R. 5434: Mr. Courtney and Mr. McCotter.
H.R. 5457: Mr. Langevin.
H.R. 5478: Mr. Rush.
H.R. 5501: Mr. Moran of Kansas.
H.R. 5503: Mr. Baca and Mr. Thompson of Mississippi.
H.R. 5523: Mr. McClintock and Mrs. McMorris Rodgers.
H.R. 5525: Mr. Westmoreland.
H.R. 5572: Mr. Ortiz.
H.R. 5577: Ms. Lee of California.
H.R. 5578: Ms. Lee of California.
H.R. 5579: Ms. Lee of California.
H.Con. Res. 284: Mr. Sarlan and Mr. Castle.
H.Con. Res. 287: Mr. McClintock.
H.Res. 308: Ms. Pingree of Maine.
H.Res. 510: Mr. Bartlett and Mr. Burgess.
H.Res. 937: Mr. Pekluksi.
H.Res. 1207: Mr. Garamendi.
H.Res. 1244: Mr. Polis of Colorado.
H.Res. 1279: Mr. Calvert.
H.Res. 1365: Mr. Edwards of Texas.
H.Res. 1401: Mr. Stark, Mr. Berman, Mr. Wolf, Mr. Pastor of Arizona, Mr. Critz, and Ms. Schwartz.
H.Res. 1437: Mr. Smith of Texas.
H.Res. 1450: Mr. Smith of Texas.
H.Res. 1454: Ms. Eddie Bernice Johnson of Texas.
H.Res. 1460: Mrs. Lummis.
The Senate met at 2:00 p.m. and was called to order by Nancy Erickson, Secretary of the Senate.

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible God only wise, the fountain of all blessing, we thank You for the life and legacy of Senator Robert C. Byrd, our friend and colleague whose death we grieve today. We praise You for his more than five decades of exemplary service to our Nation and the citizens of West Virginia, for the way he carried out his duties with integrity and faithfulness. We are grateful that he knew when to be the gadfly, to ask the tough questions, and to challenge the status quo.

Lord, You gave him courage to make course corrections both privately and publicly and empowered him to oppose without bitterness, to compromise with wisdom, and to yield without being defeated. I thank You that he was my friend.

Lord, we pray for his loved ones, our Senate family, and all who mourn his passing. May his many contributions to our Nation not be forgotten by this and succeeding generations. May all of us who had the privilege of knowing our Nation’s longest serving legislator emulate his passion, patience, and perseverance. Give him a crown of righteousness and permit him to hear You say, “Well done, good and faithful servant.”

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE
The Secretary of the Senate led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER
The Secretary of the Senate. The majority leader is recognized.

MOMENT OF SILENCE
Mr. REID. I ask that the Senate observe a moment of silence for Senator Byrd.

ELECTING SENATOR DANIEL K. INOUEY PRESIDENT PRO TEMPORE
Mr. REID. I have a resolution at the desk and ask for its consideration.

The SECRETARY OF THE SENATE. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 567) to elect Daniel K. Inouye, a Senator from the State of Hawaii, to be President pro tempore of the Senate of the United States.

The resolution (S. Res. 567) was agreed to, as follows:

Resolved, That Daniel K. Inouye, a Senator from the State of Hawaii, be, and he is hereby, elected President of the Senate pro tempore.

ADMINISTRATION OF OATH OF OFFICE
The SECRETARY OF THE SENATE. Without objection, Senator Inouye will be escorted to the desk.

The President pro tempore-elect, escorted by Mr. REID and Mr. AKAKA respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Secretary of the Senate; and he subscribed to the oath in the Official Oath Book.

Mr. INOUEY thereupon assumed the chair as President pro tempore. The President pro tempore. The majority leader.

REMEMBERING SENATOR ROBERT C. BYRD
Mr. REID. Mr. President, our Senate family grieves today with the Byrd family over the loss of one of the most dedicated Americans ever to serve this country; one of the most devoted men ever to serve his State; one of the most distinguished Senators ever to serve in the Senate.

Robert Byrd’s mind was among the greatest the world has ever seen. As a boy, he was called upon, when he was in elementary school, to stand before the class and recite not paragraphs from the assignment of the night before but pages of the night before. He did this from memory.

From his graduation as valedictorian of his high school class at the age of 16 to his death this morning as the Senate’s President pro tempore at age 92, he mastered everything he touched with great thoughtfulness and skill. This good man could drive from his home here in Washington to West Virginia and back—it took 8 hours—reciting classic poetry the entire time, and not recite the same poem twice.

I was asked by Senator Byrd to travel to West Virginia to do an exchange with the British Parliament. There were a number of us there, eight or nine Senators, and a like number of British Parliamentarians. I can remember that night so well. We had the music up there he liked the best—bluegrass music—and they played. It was a festive evening.

Then it came time for the program. In the program, Senator Byrd said: I am going to say a few things. And he passed out little notebooks. He had notebooks passed out to everyone there with a little pencil. He wanted to make sure everything was just right; that people, if they had something to write, had something to write on and write with. And he proceeded, standing there without a note, to pronounce the reign of the British monarchs, from the beginning to the end. He would give the...
Byrd’s lectures on the Roman Empire. He gave 10 lectures here on the Senate floor on the fall of the Roman Empire. He gave a lecture because he was concerned with the concept of the line-item veto, and he felt the line-item veto would be the beginning of the end of the Senate. He proceeded to give 10 lectures on that on the Senate floor, every one of them from memory—every one of them from memory. Time just perfectly. They ended in 1 hour. That is how much time he had been given. The original Roman Emperors served for 1 year. He could do it from memory. He knew who they were, how long they served, knew how to spell their names—truly an unbelievably brilliant man.

He is the only person who earned his law degree while he was a Member of Congress. What he accomplished is really very long. His thirst for knowledge was simply without equal.

Senator Byrd once observed that the longer he lived, the better he understood how precious the gift of our time on Earth was.

I quote Senator Byrd:

As you get older, you see time running out. It is irretrievable and irreversible. But one should never retire from learning and growth.

Robert Byrd never retired from anything. He served in the Senate for more than half a century and the House of Representatives for 6 more years, and he dedicated every one of those days to strengthening the State and the Nation he loved so dearly. He never once stopped fighting for the good people of West Virginia and for the principles in our founding documents. He was forever faithful to his constituents, his Constitution, and his country. He fought for what he thought was right, and when he was wrong, he was wise enough to admit it, and he did admit it a few times.

Senator Byrd’s ambition was legendary. He took his oath in this Chamber on January 3, 1939, the same day Alaska became our 49th State. He told the Charleston Gazette newspaper in that freshman year:

If I live long enough, I’d like to be Chairman of the Senate Appropriations Committee.

Thirty years later, he was, and then he lived and served for more years. His legislative accomplishments are many, and those achievements fortify his incomparable legacy. But he is perhaps best known in this Chamber as the foremost guardian of the Senate’s complex rules, procedures, and customs. He did not concern himself with difficult spellings, he would spell the words perfectly. They ended in 1 hour. That is how much time he had been given. The original Roman Emperors served for 1 year. He could do it from memory. He knew who they were, how long they served, knew how to spell their names—truly an unbelievably brilliant man.

In his tenure he saw partisanship and bipartisanship, war and peace, recession and recovery. His perspective and legacy are invaluable to the way we carry ourselves as United States Senators. It is instructive that the man who dedicated the longest and saw the most concluded we must work together as partners, not partisans, for the good of our States and our country.

In 1996, Robert Byrd spoke to a meeting of incoming Senators and reminded them that he was still the anchor of the Republic. Senator Byrd was the anchor of the Senate. There will never be another like him.

He was a Member of this Nation’s Congress for more than half the time it has existed, and longer than a quarter of today’s sitting Senators and the President of the United States have been alive. His political career spanned countless American advances and achievements. A dozen men called the Oval Office his own while Senator Byrd called the Capitol Building his office—and he would be the first to remind us that those two branches are equal in the eyes of the Constitution. I have heard him say so many times that we work with the President, not under the President.

The nine times the people of his State sent him to the Senate and the more than 18,500 votes he cast here will never be matched.

As the President pro tempore and I, and each of us fortunate enough to be here, have the privilege of knowing firsthand it was an incomparable privilege to serve with him, to learn from this giant. By virtue of his endurance, Robert Byrd knew and worked with many of the greats of the Senate. Because of his enduring virtue, he will be forever remembered as one of them.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will turn to a period of morning business until 3:30 p.m., with Senators permitted to speak for up to 10 minutes each. Following leader remarks, the Senate will resume consideration of the motion to proceed to H.R. 3297, the small business jobs bill. At 5 p.m., the Senate will proceed to executive session and debate the nomination of Gary Feinerman to be a Federal judge—that will be until 5:30—with the time equally divided and controlled between Senators LEAHY and Sessions or their designees. There will be a series of two rolloff calls at 5:30. The first vote will be on the motion to invoke cloture on the motion to proceed to the small business jobs bill. The second vote will be on the confirmation of the Feinerman nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BINGHAM). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.
The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. McCONNELL. Mr. President, I too wish to say a few words about our departed colleague. The first thing to say is that we are sorry, first and foremost, to the family and also to the staff of Senator Byrd for their loss. The next thing to say is that it is a sad day for the Senate. Everybody who has been here for a while has a few ROBERT BYRD stories. A couple come to mind I thought I would share.

Along with Senator Reid and Senator Dodd, who were here on the floor earlier, Senator BYRD, in the early part of the decade, responded to my request to come down to the University of Louisville, my alma mater, to speak to the students and to a broader audience. At his age, he particularly gave the fact that I was a member of the opposition party, there was, frankly, no particular reason for him to do that. But he did and made an extraordinary impression on the students and inconvenienced himself on my behalf, which I always appreciated.

My second—and really my favorite—recollection of Senator BYRD, I found myself a few years ago in a curious position, at variance with virtually everybody on my side of the aisle. I had reflexively, as I think many Members had, responded negatively to a decision of the U.S. Supreme Court in the late 1980s essentially holding that flag burning was a permissible first amendment expression in political speech. The first time that amendment came before the Senate, I voted for it. Then I began to have some pangs of discomfort about my position. Having spent a good portion of my political career focusing on political speech and the first amendment, I, frankly, decided I was wrong and in subsequent votes have opposed it.

A few years ago, it became clear it was going to be defeated in the Senate by the narrowest of margins. I remembered that Senator BYRD was always carrying around a Constitution in his pocket and had a feeling that upon reflection, he might reach the same conclusion I did. So I lobbed Senator BYRD. I thought initially it would be a futile act, but he reexamined his position. As a result, he too changed his position, and as it turns out, there was not a vote to spare the last time the Senate considered whether it would be appropriate to amend the first amendment for the first time in the history of the country and, indeed, of the world. He made it possible to punish an act we all find despicable. But, nevertheless, the most unfortunate of speech is probably what the first amendment was all about initially. So Senator BYRD did change his position. There was not a vote to spare, and the amendment was defeated. And from my point of view, the first amendment was saved on that important occasion.

We will all remember Senator BYRD for a variety of different things. As the majority leader pointed out, he was a unique individual in so many different ways. Those are two of my favorite stories about ROBERT BYRD.

More than anyone else in any of our lifetimes, ROBERT BYRD embodied the Senate. He not only wrote the book on it, he was a living repository of its rules, its customs, and its prerogatives. So it would be a mistake to think that Senator BYRD became synonymous with the Senate simply because he served in it longer than anybody else. Rather, it was a fitting coincidence that a man who cherished and knew this place so well would become its longest serving Senator.

Yet it is probably true that he will be remembered above all for his longevity.

Everyone seems to have a different way of communicating just how long a time he spent in the Senate. It is enough to note that ROBERT BYRD had already spent nearly 20 years serving in elected office in West Virginia and in the House of Representatives before he was elected to the U.S. Senate during the Eisenhower administration.

And over the years, he would walk the floor with 4 future Presidents, 4 of the 12 he would serve alongside in a 57-year career in Congress. I won’t enumerate all the legislative records Senator BYRD held, but I would venture to say that the figure that probably made him proudest of all was the nearly 70 years of marriage he spent with a coal miner’s daughter named Erma.

If he was synonymous with the Senate, he was synonymous with West Virginia. Here is how popular ROBERT BYRD was in his home State: In the year ROBERT BYRD was first elected to the U.S. Senate, 1958, he won with 59 percent of the vote, a margin that most people around here would consider a landslide. In a record 9 Senate elections, it was the smallest margin of victory he would ever get.

Members will offer tributes of their own in the coming days.

I will offer mine. Last year, in becoming the longest serving Member of Congress in history, Senator BYRD surpassed another legendary figure, Carl Hayden of Arizona. Hayden was known to many as the “silent Senator,” a phrase few would use to describe Senator BYRD.

But what the two men shared was a devotion to the United States and, in particular, to the legislative branch of our Government, which the founders envisioned and established as coequal with the other two.

A few years ago, Senator BYRD’s official portrait was unveiled at an event in the Old Senate Chamber. And I think that portrait pretty well sums up the image Senator BYRD wanted to leave of himself. It is the image of a dignified man, in the classical mold, supported by three things: the Bible, the U.S. Constitution, and his wife. A lot of people looked up to Senator BYRD’s record-long tenure in Congress, his immense knowledge of poetry, history, and the Senate, and wondered where he got the strength. With this painting, he gave us the answer. He showed us the anchors.

I noted at that ceremony, Senator BYRD once wrote that if the question was whether to be loved or respected, he always chose to be respected. Yet his real accomplishment is that, in the end, he managed to be both.

So I join my colleagues, my fellow Americans, the people of West Virginia, and the Byrd family today in remembering our colleague. We will surely miss him.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, on this day, West Virginia has lost probably its most prominent son and the Senate has lost probably its most able statesman. For myself, I have lost an admired colleague and a treasured friend. More than nine decades of a remarkable life and five decades as an accomplished public servant in the Senate only serve as one form of proof that ROBERT C. BYRD was and always will be an icon, particularly in his own State. A man of great character, faith, intellect, who rose to the heights of power, yet never forgot where he came from, his story holds such a profoundly significant place in both West Virginia and American history. But it was in the coalfields of southern West Virginia where a young Robert C. Byrd first embodied the skills, character, the toughness, and the shrewdness that would make him a truly great man.

After his mother passed away, he was raised by his aunt and uncle, a miner, who no longer called “the most remarkable man I have ever been privileged to know.” From them Senator BYRD learned early in life what it meant to be loyal, to have a ferocious work ethic, really almost beyond imagination, and possess a deep faith in God. And it was these values—these innately West Virginia values, I argue—that guided his every action and made him such a unique and strong fighter for our State and who got such joy in doing that fight.

He was proud of West Virginia. He was proud of his ideals. He was proud of the service he could render to the people from whom he came. He believed with all of his heart that our breathing mountains, our rivers, and our deep valleys, and especially our well-drawn lines of curve always and face it with strength and courage, make our State a place like quite none other in the world.
He loved the music of the mountains and played his fiddle, in fact, very brilliantly. He was a master violin player. He loved to quote the ancients, lending depth to his analysis and observations, with knowledge of history and philosophy to rival any professor. Just as easily as he could quote Cicero from memory, he could sing every verse of “Amazing Grace” from memory, too, and often did.

Everything about Senator BYRD was a testament to his faith in God. This man, who wrote and debated countless laws, lived with 10 clear Commandments in his heart. His aunt and uncle kept the King James Bible in their home and instilled in him an enduring reverence for God. He always remembered that as important as the Senate and our constitutional government might be, there was always a higher law that took precedence.

He started his career humble by any definition—as a butcher, as a welder, other things too—and then campaigned by playing his foot-stomping music, the fiddle, dedicated to the West Virginia Legislature—that is how he did it—the very same body that decades later would deem him the “West Virginia of the 20th Century.”

It was at Twain High School where a lifetime of love first began for Robert C. Byrd. Calling her the “wind beneath this Byrd’s wings,” as he put it, Senator Byrd was never shy to tell you how much he loved his beautiful daughter herself—was the reason he reached all of his goals. He believed that with all of his heart. So from the fiddle-playing young man to a history-making American icon, she loved and supported him every step of the way until her passing in 2006.

I know and I observed maybe earlier than some that Senator BYRD lost just a bit of that fire. Watching him hurt was painful. His wife died from the same disease my mother died from; that is, Alzheimer’s, and we talked about it, especially a few years ago when he was talking more frequently. I always felt that I could help provide him comfort and that I could not say something to him that would relinquish his pain, which was evident and obvious—very obvious in privacy. But I could not do that because you cannot do that for diseases like that one. There were not words to describe the difficulty such a devastating loss can bring, and I commend my friend for continuing on so strongly—as he did—for so long.

Erma was his soulmate, his best friend and trusted counselor. Their marriage was something to behold. My wife Sharon and I loved watching them together. He became a different person. They radiated an extraordinary faith in God, in each other, and in the beautiful family they built together, which in the end was what he loved the most. Indeed, it was the time Robert C. Byrd spent with his daughters, Mona and Marjorie, their husbands, and their grandchildren and their great-grandchildren that brought sheer joy—pure, unadulterated—to his life. So with sadness in my heart, I also have joy at the thought of my friend united with his precious Erma, with his dear grandson he lost at a young age. And we all know, those of us who have been a Senator, those young men and women who have gone through the agony he went through at the death of that young man, setting up a shrine in his office. It affected him deeply. It was interesting that a man who could be so oriented toward policy, and sometimes almost remote from personal matters, as a professional self-definition, could be so utterly moved by sadness in his own life and I think in the lives of others.

It was in the Halls of the U.S. Senate where Robert C. Byrd became known as the “Soul of the Senate,” a fierce defender of the Constitution, a respected historian, and an absolutely fearless legislator. He held, as has been said many times before, more leadership posts than any other Senator, cast more votes than any other Senator, and served longer than any other Senator. And one could go on in many ways in this area. He literally wrote the authoritative book on the rules and procedures of the Senate. He taught all of us who were freshmen in this body about that in classes which he would conduct standing in the well of the Senate. He loved and he revered this institution. Everybody says that. It is true.

Some people pass through this institution. They experience this institution. He lived this institution. Yet, still, his entire career was fundamentally an act of commitment to the State of West Virginia and its people—a day-in and day-out effort to do the best he possibly could for the people of the Mountain State; always put upon, often looked down upon, even disdained by others who did not understand where they came from, what their lives were like, and, for example, what it was like to be a coal miner. People do not understand West Virginia well. Most people do not go there. Senator BYRD sprung from West Virginia and, yes, was an intensely devoted statesman. He put himself through law school while also serving in Congress. I know a few others have done that, but I just sort of deny that. I think it is amazing like Senator BYRD; that fewer, any others who did it do not get my attention.

He understood that people with the fortitude to ask questions and to debate and to dissent one from another makes America stronger. He had that courage himself, standing up time and time again to defend the ideals upon which our Nation was founded. And often those ideas were very different from those the Senator holds. He literally stood up for what he felt was correct.

As the minority leader has pointed out, the Senator always had the Constitution in mind. That Constitution is his heart. And he outlasted Presidents and Supreme Court Justices. He served with an absolute insistence on the equality of the three branches of government as envisioned by our Founding Fathers, and he, therefore, helped us as a body more be our separate parts. He spread the words of our Constitution to young children and his colleagues alike. He was a hero, and he was strong and confident, infusing his every action with deep devotion for our Nation and its people.

A Senator from a State that has sent generations of sons and daughters to war—out of courage, out of love of country, sometimes just out of a need to get work—supported whether he agreed with their cause or not, fought for our veterans, and worked hard to make sure those who served our country got the respect, the support, the supplies they needed and they deserved.

He also earned the loyalty of West Virginians with a record of support for education and economic opportunity that few Senators, at any time, in any State, in my judgment, could ever match. To him, every school building or education grant was a step towards a better life for some West Virginia child or maybe quite a lot of children. He cared about that, and he helped that become true.

Every road overpass, every road represented an opportunity for a more dynamic economy for our cities and towns, which might be taken casually in some places but not in West Virginia because only 4 percent of our land is flat, and unless there is a road or a bridge, you cannot build anything anywhere or virtually do anything anywhere. Every business park or government office meant the possibility of a better job for West Virginians trying to raise their families—people he fought for all his life.

Senator BYRD also believed health care is one of the most important ways to strengthen a community, and his support for medical research resulted in breakthrough medical opportunities. He spread this research all across West Virginia. He sent to West Virginia University, to Marshall University, to institutions of all kinds. He believed in medical research and did more than most of our colleagues even know.

So in a State with rugged terrain, full of people like the family who raised him, doing their best for their family, for their country, for their God, ROBERT C. BYRD decided that somebody needed to do the best for them, and he did so each and every day of his life.

To me, he was a perfect colleague and a reliable friend, a walking example of the kind of America I believe in, and a living testament to the values that made West Virginia my own home forever. It has been my greatest privilege to serve with ROBERT C. BYRD in the United States. I lost a hero and I fought side-by-side with him for causes we both believed in, and obviously I am profoundly saddened that he is gone.

So in closing, Mr. President, I think he leaves a void that probably cannot
be filled. But I am lifted by the knowledge of his deep and abiding faith and that he is in the hands of the One who inspired these words in “Amazing Grace:

Yea, when this flesh and heart shall fail,
And mortal life shall cease,
I shall take my place in heaven above,
A life of joy and peace.

I think that gives all of us some comfort. It certainly does me.

So peace and Godspeed, Senator BYRD, and peace to your family, your loyal staff, and to the loving people of West Virginia, who held you high for so long and will continue to do so.

I thank the Chair and yield my time.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Connecticut.

Mr. DODD. Mr. President, I see my friend from Tennessee. I presume we are kind of going back and forth. The Senator is in leadership. I do not want.

Mr. ALEXANDER. Mr. President, I would like to leave by 3, but I will be glad to defer to the Senator from Connecticut if he would like to go ahead.

Mr. DODD. I thank my colleague. I will not be long.

Mr. President, are we in morning business? Is that correct?

The PRESIDING OFFICER. That is correct.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. DODD. Mr. President, let me begin by expressing my deep sorrow and my condolences to ROBERT C. BYRD’s family. And that family includes, obviously, not only his direct, immediate family but obviously the literally legions of people who worked for ROBERT C. BYRD—worked with him in both the House of Representatives and this body for the more than five decades he served in the U.S. Congress.

I suspect I am one of a handful of people left who remember the day when I was 7 years old, in the gallery of the House of Representatives, watching my father, as I pointed to ROBERT C. BYRD as a boy, as he was to so many others with whom he served during his tenure in the Congress.

For the past quarter of a century I represented the people of Sophia arrived on the scene, asking the Speaker to make an address to the House of Representatives to thank him for his work as an Delegate. As the Washington Post noted in its obituary this morning, ROBERT C. BYRD met nearly every person—I would suspect every person—in his district, campaigning alone, with no one else, talking about the issues he cared about and those that would affect and did affect the people he wanted to represent; and when all else failed, wowing potential voters with his fiddle prowess.

He lost that election, as he would every single election—every single election for which he ever ran. The people of West Virginia never could say no to ROBERT C. BYRD, and he could never say no to them. As a State legislator, a Congressman, and as a Senator, ROBERT C. BYRD fought for West Virginians, and our Nation, I might add, at every single turn.

If you travel the State of West Virginia today, you will see on schools and bridges and highway signs. You will perceive his influence when you see the government buildings and research laboratories he brought to West Virginia—investments that contribute both to the health of our national economy and to our Nation. But don’t just look for his name on the sides of buildings or overpasses. Listen for it in the appreciative words of his constituents, his extended family, and of a grateful nation for his service.

No State has ever had such a deep appreciation for the Senate Appropriations Committee because no State has ever had such an effective appropriator and fighter. ROBERT C. BYRD came to Congress with my father, as I pointed out in January of 1953, and they both arrived on the same day as they had in the House, on January 3 of 1959. In the summer of 1961, I mentioned I was a Senate page sitting on the Senate floor. I still remember the eloquent speeches of the freshman Senator from West Virginia.

It is incredible to imagine that he was once a freshman Senator. Even then, he had the same gentlemanly manner; he was kind to pages, as I recall, the same kind that marked his oratorical and the same respect for the rules and traditions of the Senate. But he soon became a fixture and a mentor to new Senators as well. I expect that over the next few days many Senators will take this floor with a Constitution in their pockets, as I do, that they received from ROBERT C. BYRD. Here is my tattered and rather worn copy signed by ROBERT C. BYRD: “To my friend, Chris Dodd, with great personal esteem. Sincerely, Robert C. Byrd.”

I have carried this with me every day of my life for the last quarter of a century, given to me by my colleague in this Chamber, along, I might add, with a stern but kind lecture about Senate protocol. I have mine right here, as I said. It is a tattered and withered copy, after this many years.

For the past quarter of a century I have occupied some prime real estate on the floor of the Senate. This desk represents both to the State of West Virginia investments that contributed both to the health of our national economy and to our Nation. But he wouldn’t have wanted it that way. This country has changed over
the many years in which ROBERT C. BYRD helped to lead it and to shape it, and he grew and changed with it, I might add. His story in so many ways parallels the American story over these many years—the story of a nation on a long and difficult journey, always trying to become a more perfect union that our Founders described more than two centuries ago.

He would have wanted us to forget about the positions and affiliations that marked the early part of his life and career, and he did not as well. We should learn from our mistakes, as he did, draw inspiration from his journey, and credit him. I might add, for being willing to admit wrong and embrace right when he had the opportunity to do so, because, like our country, ROBERT C. BYRD grew wiser as he grew older.

So we can remember him not only as a tremendously effective legislator, not only as a powerful speaker, not only as a parliamentary wizard, but also as a human being who fought for equality with the true sense of urgency of a convert. He was a man unafraid of reflection, a man who voted to make Martin Luther King’s birthday a Federal holiday but put it—"I remember him saying it so well—"I'm the only one who must vote for this bill."

Here was a man unafraid of progress, a man who, in one of his final acts in the Senate, voted to overturn the don't ask, don't tell rule in our military. Here was a man unafraid of conscience, a man who, in one of his final acts in the Senate, voted to make Martin Luther King’s birthday a Federal holiday but put it—"I remember him saying it so well—"I'm the only one who must vote for this bill."

Perhaps his last Senate appearance was before the Rules Committee on October 3, 1996. He was 12 years old when Senator ROBERT C. BYRD was elected to the Senate and who also served long enough to know that, as he put it: "I wish to ask unanimous consent to have printed in the RECORD following my remarks the remarks of Senator Alexander for the release of Senator Whitehouse, who was called Senator Baker and said: Let me think about it."

I wish to ask unanimous consent to have printed in the RECORD following my remarks the remarks of Senator Robert C. Byrd: "The rules of the Senate give me wide discretion over what I can say in debate. They operate the Senate during that time under an agreement where Senator Byrd was careful to try to give every Senator a fair voice. I thought that was very important. In return, Senator Byrd was able to get unanimous consent agreements on amendments that many Senators thought were frivolous or unnecessary. He permitted me to have a fairly orderly management of the Senate during that time."

Senator BYRD had no time for revisionists who didn't believe America was exceptional. He believed this is one country, unified by a common language and a few principles. He did not want our country to become a United Nations. He always wanted to be the United States of America. He wanted us to be proud of where we came from, but prouder to be American.

We will especially miss Senator BYRD’s love of and understanding of the Senate. One of the most special occasions I ever experienced was the opportunity as a freshman Senator in 2003 to attend an indoctrination, one might say—or orientation would be the proper description—on what it means to be a Senator. Senator BYRD began by saying: "You are presently occupying what I consider to be hallowed ground."

As long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure. He believed that when he was recruiting Republicans in 2005 who were trying to change the rules when there was a controversy about President Bush’s appointees to the Federal judiciary, and he said the same thing to young Democrats who grew impatient this year and wanted to change the rules to limit unlimited amendment and unlimited debate.

Perhaps his last Senate appearance was before the Rules Committee on May 19, 2010, where his opening statement on the filibuster and its consequences warned against a rules change.

I ask unanimous consent to have that statement printed in the RECORD following my remarks."

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

Mr. ALEXANDER. Senator BYRD served long enough to know that, as he put it: "As long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure." He believed that when he was recruiting Republicans in 2005 who were trying to change the rules when there was a controversy about President Bush's appointees to the Federal judiciary, and he said the same thing to young Democrats who grew impatient this year and wanted to change the rules to limit unlimited amendment and unlimited debate.

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The PRESIDING OFFICER. Without objection, it is so ordered.
Let us clearly understand one thing. The Constitution's Framers never intended for the Senate to function like the House of Representatives. That fact is immediately apparent. The Senate term and the staggered nature of Senate terms. The Senate was intended to be a continuing body. By subjecting only one-third of its membership to the electorate every two years, the Constitution's framers ensured that two-thirds of the membership would always carry over from one Congress to the next to give the Senate an enduring stability.

The Senate and, therefore, Senators were intended to be slow and to take time and to be able to resist, if need be, the passions of the often intertemporal House. Few, if any, upper chambers in the history of the western world have been endowed with the right to unmind the clock and to deliberate in a temperate moment, and now, with televised Senate debate, the Senatehas insisted upon its members' open and free debate and for the protection of political minorities. I have led the majority, and I can say that as long as the Senate remains the power to amend and the power of unlimited debate, the liberties of the people will remain secure.

The Senate was intended to be a forum for open and free debate and for the protection of political minorities. I have led the majority, and I can say that as long as the Senate remains the power to amend and the power of unlimited debate, the liberties of the people will remain secure.

When the Senate reluctantly adopted a cloture rule in 1917, it made the closing of debate very difficult by requiring a super majority and by permitting extended post-cloture debate. This deference to minority views sharply distinguishes the Senate from the majoritarian House of Representatives. The Framers recognized that a minority can be right and that a majority can be wrong. They recognized that the Senate should act as a conservative body—a body in which to slow the passions of the House, hold them up to the light, examine them, and, thru informed debate, educate the public. Its informing function plays an even larger and more critical role in the life of our nation.

Many a mind has been changed by an impassioned plea from the minority side. In the case of treaties, the Senate, with its power to advise and consent before the Senate can even proceed to vote on the matter, is required to examine, consider, protect, and to be a totally independent source of wisdom and judgment on the actions of the lower house and the executive. As such, the Senate is the central pillar of our constitutional system. I hope that you, as new members will study the Senate in its institutional context because that is the best way to understand your personal role as a United States Senator. Your responsibilities are heavy. Understand them, live up to them, and strive to perform your duties. This will not always be easy.

The pressures on you will, at times, be enormous. You are forging relationships, grappling with issues, serve the constituents in your state, and cope with the media. A Senator's attention today is fractured beyond belief. Committee meetings, breaking news, fundraising, all of these will demand your attention, not to mention personal and family responsibilities. But somehow, amidst all of this noise and confusion, you must find the time to reflect, to study, to read, and, especially, to understand the absolutely critically important institutional role of the Senate.

May I suggest that you start by carefully reading the Constitution and the Federalist papers. In a few weeks, you will stand on the floor of the Senate and begin to support and defend the Constitution of the United States against all enemies, foreign and domestic; to bear true faith and allegiance to the same; and take this obligation freely, without any mental reservation or purpose of evasion; and to well and faithfully discharge the duties of the office on which you are about to enter.

Note especially the first 22 words, 'I do solemnly swear that I will support and defend the Constitution of the United States against all enemies foreign and domestic. In order to live up to that solemn oath, one must clearly understand the deliberately established inherent tensions between the 3 branches, commonly called the checks and balances, and separation of powers which the Constitution carefully codified. It is critically important that you understand the Senate's role as guardian of minority rights. But, almost from its earliest years the Senate has insisted upon its members' right to a super majority and by permitting extended post-cloture debate. This deference to minority views sharply distinguishes the Senate from the majoritarian House of Representatives. The Framers recognized that a minority can be right and that a majority can be wrong. They recognized that the Senate should act as a conservative body—a body in which to slow the passions of the House, hold them up to the light, examine them, and, thru informed debate, educate the public. Its informing function plays an even larger and more critical role in the life of our nation. The Senate is often soundly castigated for its inefficiency, but in fact, it was never intended to be efficient. The Senate is intended to examine, consider, protect, and to be a totally independent source of wisdom and judgment on the actions of the lower house and the executive. As such, the Senate is the central pillar of our constitutional system. I hope that you, as new members will study the Senate in its institutional context because that is the best way to understand your personal role as a United States Senator. Your responsibilities are heavy. Understand them, live up to them, and strive to perform your duties. This will not always be easy.

The pressures on you will, at times, be enormous. You are forging relationships, grappling with issues, serve the constituents in your state, and cope with the media. A Senator's attention today is fractured beyond belief. Committee meetings, breaking news, fundraising, all of these will demand your attention, not to mention personal and family responsibilities. But somehow, amidst all of this noise and confusion, you must find the time to reflect, to study, to read, and, especially, to understand the absolutely critically important institutional role of the Senate. Now I would like to turn for a moment to the Senate as the chief arbiter of the relationship among Senators, and the way that even that faced of service here is, to a degree, governed by the constitution and the Senate's rules.

The requirement for super majority votes in approving treaties, involving cloture, removing impeached federal officers, and overriding vetoes, plus the need for unanimous consent before the Senate can even proceed in many instances, makes bipartisanship and comity necessary if members wish to accomplish much of anything. Realize this. The campaign is over. You are here to be a Senator. Not much happens in this body without cooperation between the majority and the minority. In this new 208-year-old institution, the positions of majority and minority leaders have existed for less than 80 years. Although the leadership positions have significantly within the past half century, still, the only really substantive pragmatic leadership...
possess is the right of first recognition before any other member of their respective parties who might wish to speak on the Senate Floor. Those of you who have served in the House of Representatives may feel that the things the Committee of the Whole, closed rules, and germinensis, except when cloture has been invoked, and become well-accustomed to a much more rapid pace of debate.

Senators can lose the Floor for transgressing the rules. Personal attacks on other members or injudicious departures are unacceptable in the Senate. Again, to encourage a cooling of passions, and to promote a calm examination of substance, Senators address one another through the Presiding Officer and in the third person. Civility is essential here for pragmatic reasons as well as for public consumption. It is difficult to project the image of a statesmanlike, intelligent, public servant, attempting to inform the public and examine issues, if one is behaving and speaking in a manner more suited to a pool room brawl than to United States Senate debate. You will also find that overly zealous attacks on other members or on their states are always excessive, disrespectful, and that you will usually be repaid in kind.

Let us strive for dignity. When you rise to speak on this Senate Floor, you will be lowering on such shoulders as Calhoun, Clay, and Webster. You will be standing in the place of such Senators as Edmund Ross (KS) and Peter Van Winkle (WEST VIRGINIA), and you are to be mindful of the Senate’s history. You will be standing against the nation’s Constitution, which states, that it is the Senators’ duty to act in good faith.

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We were not elected to raise money for our own reelections. We were not elected to see how many press releases or TV appearances we could stack up. We were not elected to set up staff empires by serving on every committee and subcommittee. We were not elected to be a continuing body that allows for open and unlimited debate and the protection of minority rights. Senators have understood this since the Constitution was written.

In his notes of the Constitutional Convention on June 28, 1787, James Madison recorded that the ends to be served by the Senate were: first, to protect the people against their rulers, secondly, to protect the people against the transient impressions which they themselves might be led to entertain. They themselves, as well as a numerous body of Representatives, were liable to err also, from fickleness and passion. A necessary fence against this evil was set up in the Senate. Amen. In the design of the Virginia and of the South Carolina gentlemen was to talk away the time, so that we could not get the bill passed.

Our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and the protection of minority rights. Senators have understood this since the Constitution was written. But that protection was never intended to be abused.

I share the profound frustration of my colleagues as some propose to alter the rules to severely limit the ability of a minority to conduct a filibuster. I know it is to be Majority Leader, and wake up on a Wednesday morning in November, and find yourself a Minority Leader.

I also know that current Senate Rules provide the means to break a filibuster. I employed them in 1977 to end the post-cloture filibuster of natural gas deregulation legislation. This was the roughest filibuster I have ever worked through my fifty years in the Senate, and it produced the most-bitter feelings. Yet some important new precedents were established in dealing with post-cloture obstructions. In 1987, I successfully used Rules 7 and 8 to make a non-debatable motion to proceed during the morning hour. No less than twenty attempts were made since, but this procedure could be and should be used.

Over the years, I have proposed a variety of improvements to Senate Rules to achieve a more sensible balance allowing the majority to function while still protecting minority rights. For example, I supported eliminating debate on the motion to proceed to a matter (except for changes to Senate rules), or limiting debate to a reasonable period to garner the right to unlimited debate on the matter once before the Senate. I have authored several other proposals in the past, and I urge forward to work ahead as we carefully examine other suggested changes. The Committee must, however, zealously guard against efforts to undermine their commitment by a simple majority, circumventing Rule XXII where a two-thirds majority is required.

The path to solving our problem lies in our thoroughly understanding it. Does the difficulty reside in the construct of our rules or in the execution? A true filibuster is a fight, not a threat or a bluff. For most of the Senate’s history, Senators motivated to extend debate had to hold the floor as long as they were physically able. The Senate was either persuaded by the strength of their arguments or uncomplainingly sat in the Chamber for days or even weeks. But in the last few decades, the Senate has been dominated by a few Senators who have used the rules and their position to obstruct much-needed legislation. The purpose of a filibuster is to cause obstruction, and the Senate is in the business of doing nothing.

The Senate is more important than any one or all of us—more important than I. The Senate is more important than the political minority. And, today, the Senate still stands—the great forum of constitutional American liberty!
The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, since hearing this morning about the passing of Senator BYRD—he died shortly after 5 a.m.—I have been reflecting on the man.

Those who have the great privilege to serve in the Senate have occasion to meet and interact with great people. The expression “giant” is used not too frequently about Senators. It certainly would apply to Senator BYRD, but I believe it is insufficient. Searching my own mind for a more apt term, “colossus” might better fit ROBERT BYRD.

His career in the Congress of the United States was extraordinary, really astounding. To think that he was elected in 1952 and was sworn in while Harry Truman was still President of the United States and has served since that time, with many things that happened, during the administrations of Presidents Eisenhower, Presidents Kennedy, President Johnson, President Nixon, Senator Carter, President George H.W. Bush, President Ronald Reagan before, President George W. Bush, President Clinton, and now President Obama.

One of the distinctions he made early on was the fact that in the Senate, we serve with Presidents; we do not serve under Presidents. I think that was a calling card by Senator BYRD as a constitutionalist on the separation of powers. He was a fierce fighter for that separation of powers.

When the line-item veto was passed, he took up the battle to have it declared unconstitutional as an encroachment on article I powers in the U.S. Congress on appropriations. The bills which we present to the President have a great many provisions, and Senator BYRD was looking upon the factor of the President perhaps taking some provisions he did not like too well in order to take the whole bill. I am sure on Senator BYRD’s mind was the largesse which came to the State of West Virginia. That is part of our Federal system, part of our democracy, part of our Constitution of the advantage of seniority, where Senator BYRD had been elected and reelected on so many occasions.

I recall Senator BYRD and his swift action shortly after the 1986 election. I was on the Intelligence Committee at that time, and Senator BYRD stepped into the picture to see to it that the witnesses who testified on what was later known as the Iran Contra controversy were placed under oath. He had a sense that there was a problem that had to be investigated by Congress, again, under the doctrine of separation of powers.

I recollect his position on the impeachment proceeding as he stood at this chair and recited the provisions of the Constitution, about the impeachment for high crimes and misdemeanors, and then started to talk about the action of the respondent in the case, President Clinton, and the charges which were levied. He came to the conclusion that the constitutional standard had been met and then voted not guilty—with a sweep on the conclusion, a judgment of a higher principle involved that President Clinton had not lost the capacity to govern, and he ought to stay in office.

I recall in October of 2002 we debated the resolution authorizing the use of force for President Bush. The resolution did not say force would be used but gave the President the authority to use force as appropriate.

I was concerned about that. The scholars who had written on the subject for the most part said it would be an inappropriate delegation of constitutional authority for the Congress to say to the President: You may start a war at some future date.

The starting of a war depended on the facts and circumstances at hand when the decision was made. Senator BYRD and I discussed that at some length. I am concerned there ought to be some flexibility. Both of us voted for that resolution on the ground that empowering the President without authority, we might have the realistic chance of war.

While serving with Senator BYRD on the Appropriations Committee, I recall 1 year when he chaired the Appropriations Committee—I think in the late 1980s—the allocations made were not in accordance with the budget resolution which had been passed. Some of us on the Appropriations Committee thought we ought to have those allocations in accordance with what Congress had set in the budget resolution. Senator D’Amato, Senator Kasten, and I staged a minor revolution. It did not last too long. The vote was 26 to 3. But we expressed ourselves.

I recall hearing Senator BYRD and participated in a discussion with him on the Senate floor about the right to speak on the Senate floor. You could yield to someone or whether you had to have an order of consent before you retained your right to the floor. Discussing or debating Senator BYRD on procedural issues was indeed an education. He was always regarded as the foremost expert on Senate procedure and the rules of this body.

His service—most recently in coming in ill, in a wheelchair for a series of cloture votes at 1 a.m.—historians, I think, will be amazed at the passage of the comprehensive health care bill and the cloture votes and passage in the Senate on Christmas Eve early in the morning—finally, we had a concession we would not vote at 11:59 on Christmas but would vote earlier in the day. Even the objectors wanted to leave town. Senator BYRD came here performing his duty, although he certainly was not well and it was a tremendous strain on him. He came and made the 60th vote.

It is a tradition to see a black drape on Senator BYRD’s desk and flowers. I am sure in days to come there will be many comments, many eulogies about Senator BYRD. He leaves a great void. But reflecting on the experiences I have had with him, there is much to celebrate in his life. He was a great American, a great Senator. We will all miss him very much.

The absence of any other Senator on the floor seeking recognition. I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BURRIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BURRIS. Mr. President, early this morning, our country lost an icon and a national treasure. Our friend and colleague, Senator ROBERT C. BYRD, became a legend in his own time. And in many ways, he came to embody the institution of the Senate.

As a leader, and as a guardian of Senate procedure and tradition, Senator BYRD was without equal. For more than half a century, he helped shape federal policy, and guided the course of a nation.

But on the day he was born, in 1917, this unique place in history was far from assured. Raised in the coal country of West Virginia, few could have predicted that this intelligent but unassuming young man would rise to the very highest levels of our democracy. He was an avid fiddle player, and valedictorian of his high school class. But he could not afford to go to college until many years later. So as a young man, he found work as a meat cutter, a gas station attendant, and a store owner. And the store owner is very dear to me because our family were store owners, and I know how tough that business is. He welded Liberty and Victory ships during the Second World War, and several years later entered politics at the State level.

That is where ROBERT BYRD found his true calling: public service.

He was first elected to the House of Representatives in 1952, and has served the people of West Virginia in this Chamber since 1958. Over the course of his extraordinary career, he worked alongside 11 Presidents. He served in Congress longer than anyone in American history, cast more than 18,000 votes, and was elected to more leadership positions than any other Senator.

Most recently, he assumed the role of President pro tempore of the Senate, ranking him third in the line of Presidential succession. At every turn, he dedicated himself to the defense of our Constitution, and fought to uphold its principles and the weight of Senate tradition.

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It is difficult to measure the vast impact he has had on the lives of every single American.

No, he was not right on every issue. His past was not without mistakes and errors in judgment. But it is a credit to Senator BYRD and this Senate that over the years he gained the wisdom to recognize the moments when he strayed from the right path. It is the mark of greatness that he worked hard to overcome these errors and set America on course for a more prosperous, more inclusive future.

In recent years, Senator BYRD raised his voice against the unilateral invasion of Iraq.

He fought to preserve the filibuster, ensuring that the voice of the minority will always have a place in this august Chamber. He offered his support to a young Senator from Illinois named Barack Obama, as he fought to become the first African-American President of the United States.

Senator BYRD’s historic tenure spanned 11 administrations, thousands of bills, and more than half a century. Thanks to his leadership, and the leadership he has inspired and mentored over the years, we live in a very different world today.

The year he launched his first campaign for the House of Representatives, gas cost about 25 cents a gallon, Winston Churchill was Prime Minister of the United Kingdom, and I was only 15 years old.

Senator BYRD has left an indelible mark on this Nation, and for that we will be forever grateful.

But today, as we remember and celebrate the contributions he has made, we also offer our condolences to his friends and loved ones in this time of mourning. We offer our sympathies to the people of West Virginia, who have lost a staunch advocate. We offer our fervent hope that a new generation of Americans, liberal and conservative; Black and White; from all races and religions and backgrounds.

We hope that a new generation will take up the legacy of patriotism and service that was left to us by Senator BYRD; that today’s young people will inherit his fierce loyalty to the Constitution, and recognize their responsibility to confront every challenge we face.

So I ask my colleagues to join with me in honoring the life of our dear friend, Senator Robert Byrd.

And I call upon every American to learn from the example set by this son of the West Virginia hills who overcame poverty, lack of education, and the prejudice of his times to become one of the greatest public servants in our history.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER OF PROCEEDURE

Mr. REID. Mr. President, I ask unanimous consent that the cloture vote on the motion to proceed to H.R. 5297 be delayed to occur at 2:15 tomorrow, Tuesday, June 29; further that if cloture is invoked on the motion to proceed, then all postcloture time be considered yielded back, and the Senate then proceed to consideration of H.R. 5297; further, that as if in executive session, I ask unanimous consent the previous order with respect to the vote on confirmation of the nomination occur upon the use of time specified in the order governing consideration of the nomination with any other provision of the previous order remaining in effect, which would mean the vote would be at 5:30 tonight.

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

NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. REID. Mr. President, I have a resolution at the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 568) notifying the House of Representatives of the election of a President pro tempore.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid on the table.

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

The resolution (S. Res. 568) was agreed to, as follows:

S. Res. 568

Resolved, That the President of the United States be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

Mr. REID. I have a resolution at the desk.

The PRESIDING OFFICER (Mrs. Hagan). The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 569) notifying the President of the United States of the election of a President pro tempore.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid on the table.

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

The resolution (S. Res. 569) was agreed to, as follows:

S. Res. 569

Resolved, That the President of the United States be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate continue in morning business until 5 o’clock today.

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

Mr. REID. As I indicated, we will have one vote at 5:30 today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF ELENA KAGAN

Mr. McCONNELL. Madam President, the Judiciary Committee just wrapped up its hearings on the first day of the nomination of Elena Kagan to be an Associate Justice of the Supreme Court. These hearings will provide Senators on both sides of the aisle an opportunity to examine Ms. Kagan’s record, legal experience, and background in light of the awesome responsibility that comes with a lifetime appointment on our Nation’s highest Court. These hearings also provide an opportunity for the American people to focus their attention on a woman whom President Obama would like to see deciding cases on many of the most important and consequential issues we face as a people, long after the President’s time in office is through.

In the near term, she would be ruling on the actions and policies of an administration of which she is now a member. So it is well worth asking why the President chose Ms. Kagan in the first place. We know the President and Ms. Kagan are former colleagues, and we know from the President himself that they are friends. We know he views her as an important member of his team and that he was especially pleased with her handling of the Citizens United case. The President is no doubt confident that Ms. Kagan shares his view that judges should be judged primarily on their ability to empathize with some over others; in other words, that she embraces the empathy standard he has talked about time and time again. But as I have said before, while empathy may be a very good quality in general, in a court of law it is only...
good if you are lucky enough to be the guy the judge empathizes with. In those cases, it is the judge, not the law, who determines your fate.

In a nation such as ours, conceived from its very beginning as a nation not of many roads, this is a very dangerous road to go down. In the case of President Obama’s previous nominee to the Supreme Court, Senators had many years of court cases to study in determining whether Sonia Sotomayor could be considered to treat everyone who came before her equally, just as Americans would expect in a judge and just as the judicial oath requires. In Elena Kagan’s case, however, no such record exists. She has no experience as a judge, nor does she have much of a record as a legal practitioner. This is one of the reasons some have raised Ms. Kagan’s experience as an issue.

It stands to reason that in order to know what kind of judge John Roberts or Sam Alito or Sonia Sotomayor would be useful for Senators from both parties to look at the kind of judge these nominees had been. Since Ms. Kagan has not had the judicial or private practice experience common to most modern-day nominees, it is all the more important that we look more closely at the kind of experience she has had. A review of that experience reveals a woman who has spent much of her adult life not steeped in the practice of law but in the art of politics. To be more specific, when we look at Elena Kagan’s resume, what we find is a woman who spent much of her adult life working to advance the goals of the Democratic Party.

As a young woman in college, she spent one summer working 14 hours a day for a liberal Democratic candidate for the Senate, and when her candidate lost, Ms. Kagan wrote that she believed the “world had gone mad, that liberalism was dead.” If all we had were the comments of an impassioned young liberalism was dead. If all we had were the comments of an impassioned young liberal, we might have any doubt that Republicans would not have served as a judge previously, that would be a big advantage, and you would argue that would be something that is very salutary, that this person does not have judicial experience. Such was the case of Chief Justice Rehnquist, who did not have such experience. But because they were nominated by a Republican, it was a big advantage not to have judicial experience. Now a Democrat sends a nominee down and all of a sudden not having judicial experience is a liability. That is some flexibility, as far as I am concerned.

I met with the nominee, Ms. Kagan, and she is a great nominee. I am sure she is going to be confirmed easily in the Senate. I cannot believe the Judiciary Committee will have any opportunity to find anything wrong with this very credible, very high-qualified, well-qualified nominee. I did not come here to say that. But listening, again, as I do, I keep hearing the sound of sawing on the floor of the Senate, sawing away in a partisan manner. I simply want to observe that much of this has very little to do with substance and has everything to do with partisan politics that we hear on the floor of the Senate.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. DORGAN. Madam President, today I rise on the floor of the Senate to say that when I took my seat in the Senate, the late Senator ROBERT C. BYRD.

I had told him personally in the past that when my service is done I will have considered it a great privilege to have served in this body at the time when ROBERT BYRD served in this body. He was a lot of things. He was smart and tough and honest. Because he legislated and because of his career here, this is a better country, I am convinced of that.

All of us know Senator BYRD grew old here and became someone with health problems in recent years and yet even last week would come to this Chamber and cast his vote. In recent weeks, I had several visits with him on the floor of the Senate.

All of us know as well that he loved his country. He, most of all, loved the Senate. He wrote a two-volume book of history on this body, and I say to anybody listening, if they enjoy history and enjoy knowing anything about the wonderful history of this body, read what Senator BYRD has written. It is extraordinary.
He loved the Constitution of the United States, and he never appeared on the floor of the Senate without having a copy of that Constitution in his suit pocket. He always had a copy of the Constitution with him.

He was also someone who did not just love the history of the Senate but loved Roman history. I recall sitting on the floor of the Senate many years ago when I first came to the Senate, listening to Senator BYRD talk about Roman history and the lessons in it for us. I also learned that he had one of the extraordinary memories you have ever known. And I thought today—because we are saddened but also mourning the loss of a friend and someone who served this country so well—I would read something he read on the floor of the Senate a couple of times, but he read the preamble to it and then recited it from memory, this great story. He did it because he was talking about a crime that occurred with respect to a dog, or other animal.

Burden owned a dog, and he was named "Old Drum." He was a great hunting dog. Any time that dog barked one could know for sure that it was on the scent of a raccoon or other animal.

Today is a very sad day for those of us who see a desk that was occupied by a great U.S. Senator for so many decades, now occupied with a dozen roses and a black cloth, signifying that we have lost this great man. America has lost a great public servant. As one Member of the Senate, I say it has been a great privilege—my great privilege—to serve while Senator BYRD served in this body.

Mr. LEAHY. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I appreciate the words of the Senator from North Dakota. I recall sitting here on the floor, I tell my friend from North Dakota, who may well have been here at that time when Senator Byrd spoke of Erma and talked about her a lot to many of us.

God bless him after Senator BYRD was done.

Senator BYRD recited the summation to the jury, and he did it without a note. It so reminded me of all the things I heard on the floor from Senator BYRD—yes, “The Ambulance Down in the Valley,” a piece of lengthy prose without a note and this without a note. He recited a summation to the jury by George Vest:

Gentlemen of the jury, The best friend a man has in the world may turn against him and become his enemy. His son or daughter to whom he has given care may prove ungrateful. Those who are nearest and dearest to us, those whom we trust with our happiness and our good name, may become traitors to those who love them. That is what history tells us.

Gentlemen of the jury, a man’s dog stands by him in prosperity and in poverty, in health and in sickness, on the cold ground when the wintry winds blow and the snow drives fiercely, or only he can be near his master’s side. He will kiss the hand that has no food to offer, he will lick the wounds and sores that come in encounter with the roughness of the world. He guards the sleep of his pauper master as if he were a prince.

When all other friends desert, he remains. When riches take wings and reputation falls to pieces, he is constant in his love as the sun is constant in his journey through the heavens. If fortune drives the master forth an outcast into the world, friendless and homeless, the faithful dog asks no higher privilege than that of accompanying him, to guard him against danger, to fight against his enemies. And when the last scene of all comes, and death takes his master in its embrace and his body is laid in the cold ground, no matter if all other friends pursue their way, there by his graveside will the noble dog be found, his head between his paws and his eyes sad but open, in almost unutterable, faithful and true, even unto death.

Well, I read this summation to the jury in the case of Old Drum. But Senator BYRD recited it, as he did all of these similar circumstances, completely from memory.

Senator BYRD came to the floor, and he had a way with words that does not so much exist in the Senate anymore. I was sitting on the floor one day when another Senator came to the floor and said, “I was just reading through these laws.” If fortune drives the master forth an outcast into the world, friendless and homeless, the faithful dog asks no higher privilege than that of accompanying him, to guard him against danger, to fight against his enemies. And when the last scene of all comes, and death takes his master in its embrace and his body is laid in the cold ground, no matter if all other friends pursue their way, there by his graveside will the noble dog be found, his head between his paws and his eyes sad but open, in almost unutterable, faithful and true, even unto death.

Aesop’s fable, sitting on an axle of a chariot, “My, what dust I do raise.”

And it occurred to me he had just told someone what they had done was unbelieveably foolish. I am not sure they understood it. But he wrapped it in such elegant language, as he always did.

In addition to serving at a time early on in his career when things were different, when there was perhaps less anger and less partisanship and committee chairmen and ranking members got together and decided what we needed, I also learned that he had one of the most important things I heard on the floor from Senator BYRD recited it, as he did all of these similar circumstances, completely from memory.

I will read what Senator BYRD said. He said:

At the turn of the century, George G. Vest delivered a deeply touching summation before the jury in the trial involving the killing of a dog, Old Drum. This occurred, I think, many years after the death of old Hannibal, crossing the Alps, with a conclusion of Hannibal, who had lost an eye—a one-eyed Carthaginian—on the plains, riding the last emaciated elephant before he was cornered, and taking a pill from a secret container in a ring and, rather than being captured, took his life.

I learned a lot listening to Senator BYRD on the floor of the Senate about a lot of things, including Roman history.

I also learned that he had one of the extraordinary memories you have ever known. And I thought today—because we are saddened but also mourning the loss of a friend and someone who served this country so well—I would read something he read on the floor of the Senate a couple of times, but he read the preamble to it and then recited it from memory, this great story. He did it because he was talking about a crime that occurred with respect to a dog, or other animal.

Burden owned a dog, and he was named “Old Drum.” He was a great hunting dog. Any time that dog barked one could know for sure that it was on the scent of a raccoon or other animal.

Leonidas Hornsby was a farmer who raised livestock and some of his calves and hogs were being killed by animals. He, therefore, swore to shoot any animal, any dog that appeared on his property.

One day he discovered on his property a hound. Someone said: “There’s a dog out there in the yard.” Hornsby said: “Shoot him.”

The dog was killed. Charles Burden, the owner of the dog, was not the kind of man to take something like this lightly. He went to court.

This was Old Drum that was killed.

He won his case and was awarded $25. Hornsby appealed, and, if I recall, on the appeal there was a reversal, whereupon the owner of the dog decided to employ the best lawyer that he could find in the area.

He employed a lawyer by the name of George Graham Vest. This lawyer gave a summation to the jury.
I believe all of us who served with him and knew Senator BYRD were saddened by the news of his passing. No Senator came to care more about the Constitution or was a more effective defender of our constitutional government than the senior Senator for West Virginia. How many times did we see him reach into his jacket pocket and hold up the Constitution? He would say: This is what guides me.

I said in the Judiciary Committee today that many of us carry the Constitution and we can turn to it and read from it. Senator BYRD, if asked, would recite it verbatim from memory from page 1 straight through.

Senator BYRD was a Senator's Senator. During the time before he stopped playing, some of us would be at an event with him where he would play the fiddle. I recall one of those times when he played the fiddle, and now his successor as President pro tempore, Senator INOUYE, played the piano, playing only racketing one hand, and the two of them played in the caucus room now named after our late Senator Ted Kennedy. I heard him play in the happy times and the enjoyable times when he would try to bring Senators of both parties together and act like human beings.

I have also sat here with him when he reminded Senators of what the Constitution stood for, what our role was in the Constitution, when he inveighed against war in Iraq without reason and without a declaration of war. It was one of the most powerful speeches I have heard him give. In over 36 years of serving with him, I heard many speeches.

Others will speak of his records for time served in the Senate and in Congress and the number of votes he cast. I think of him more as a mentor and a friend. I recall in the fall of 1974 becoming the Senator-elect and coming down here to talk to Senators and meeting the Senator-elect and coming down here to talk to Senators and meeting Senator BYRD and Senator Mansfield, Senator Mansfield being the leader, Senator BYRD the deputy leader. I recall one of the things he told me—both of them did: Always keep your head. When you are privileged to know Bob and Erma, his wonderful Erma. We would see them in the grocery store in Northern Virginia. Our wives would drive in together for Senate matters. I recall sitting with him in his Washington home one of the most painful moments of the death of his grandson and how it tore him apart to have lost him in an accident. He had his portrait in his office with a black drapery. We sat there—this man who could be so composed—we sat and held hands while he cried about his grandson. At that time I did not have the privilege of being a grandfather yet. Today, I think I can more fully understand what he went through. I remember the emotion and the strength of it. Not just the man whom we saw often as the leader of the Senate, the chairman of a major committee, ready and in control, but a human being mourning somebody very dear to him.

He was a self-educated man. He learned much throughout his life, but then he had much to teach us all. It has been spoken about how he talked to the pages, but he would talk to anybody about his beloved Senate. He did more than that. He wrote the definitive history of the Senate. We all learned from him. He was a symbol of West Virginia. He was an accomplished legislator. He was an extraordinary American.

As a form of tribute I suspect Senator BYRD himself would appreciate—let me quote from Pericles' funeral oration from Thucydides' History of the Peloponnesian War about the inherent strength of the American Constitution.

Senator BYRD was well familiar with this passage, and with its relevance to our Constitution and our form of government. I heard him use it before. Pericles is said to have spoken the following: Our form of government does not enter into rivalry with the institutions of others. Our government does not copy our neighbors, but is an example to them. It is true that we are called a democracy, for the administration is in the hands of the many and not of the few. But while there exists equal justice to all and alike in their private disputes, the claim of excellence is also recognized; and when a citizen is in any way distinguished, he is preferred to the public service, not as a matter of privilege, but as a reward of merit. Neither is poverty an obstacle, but a man may benefit his country whatever the obscurity of his condition.

Senator BYRD believed in this country. He believed that a youngster who had been adopted could also rise to the highest positions in this body, a body he loved more than any other institution in our government. He was a true patriot. The Constitution was his North Star and his lone star. It was what guided him.

Senator BYRD was such an extraordinary man of merit and grit and determination who loved his family. I recall him speaking of his grandchildren and great-grandchildren and he would proudly tell you about each of them. I remember hearing him give an address while walking by and leaning over and saying, How are you? He would say, I am fine. How is Marcelle? And Senators from both sides of the aisle would come just to talk with him.

I drew strength from his deep faith. He took to heart his oath to support and defend the Constitution of the United States. The arc of his career in public service is an inspiration to us all, and it will inspire Americans of generations to come.

So, ROBERT, I say goodbye to you, my dear friend. I am not going to forget your friendship. I am not going to forget how you mentored me. But, especially, I will not forget, and I will always cherish even after I leave this body, your love of the Senate.

Senator BYRD, you are one of a kind.

I yield the floor.

Mr. DURBIN. Madam President, Members of the Senate are coming to the floor today from both sides of the aisle to acknowledge a moment in our history: the passing of ROBERT C. BYRD of West Virginia. Senator BYRD was the longest serving Senator in the history of the United States of America; a man who cast more than 18,000 votes; a man who served as majority leader, as chairman of the Appropriations Committee, as President pro tempore. He was, in fact, the Senate. He embodied the Senate in his life. It was his life.

Each of us, before we can become a Senator, takes a walk down this aisle and goes over to the side here where the Vice President of the United States swears us in. You put your hand on a Bible and you take an oath to uphold and defend the Constitution of the United States. You have to say that or you can’t be a Senator. For many people, it is a formality. For ROBERT C. BYRD, it was a commitment, a life commitment to a document, the Constitution of the United States. He used to carry one in his pocket every day of his life. That is the kind of commitment most people will not make because they think: Well, maybe I will change my mind. For ROBERT C. BYRD, there was no changing his mind. He was committed to that Constitution.

For him, it was the North Star, it was the guiding light, it was the document that created this Nation, and he had sworn on his Bible to uphold and defend it, and he meant it. That is why he was so extraordinary.

He understood this Constitution because he understood what our government is about. He made a point of saying whenever a new President would come in, even a President of his own party: We will work with the President but as a Senator; I do not work for the President. We are equal to the President because we are an equal branch of
government. I will be glad to work with the President, but I have a responsibility as a Senator.

I remember so well in what I consider to be the finest hour I witnessed when it came to ROBERT C. BYRD. It was in October of 1976, at a time when he was 65 years old, and a little over a year after 9/11. President George W. Bush was asking this Senate to vote for a resolution to invade Iraq. At the time, the pressure was building. Public sentiment was strongly in favor. Remember, there was talk about weapons of mass destruction, nuclear weapons, attacks on our allies and friends, even on the United States if we did not move, and move quickly. There was a prevailing growing sentiment to go to war.

But the Senator from West Virginia stood up, took out his Constitution, and said: This is a mistake. We should not be going to war.

He proceeded day after day, week after week, and month after month to stand up and say the President was wrong, that war—1 Republican and 22 Democrats. For a while, we were not popular. Over time I think that vote became more respected. ROBERT C. BYRD tried to explain his opposition to this policy and his commitment to this Constitution as he saw it, and the fact that he was politically fearless.

I agreed with him on that issue. I was inspired by him on that issue. I can recall when my wife and I went to a Mass in Old St. Patrick’s Church in Chicago, we were in the pew kneeling after communion. The church was quiet as people were returning from communion. An older fellow, whom I did not know, stood next to me in the aisle and looked down at me and said in a voice that could be heard across the church: Stick with Bob Byrd.

I came back and told him that story, and he just howled with laughter. I said: Senator BYRD, your reach is beyond West Virginia and beyond the Senate. It is in Chicago and across the country. What you are saying is resonating with a lot of people.

In the end, 23 people voted against that war—1 Republican and 22 Democrats. For a while, we were not popular. Over time I think that vote became more respected. ROBERT C. BYRD was our leader, and he used this Constitution as his inspiration.

He had such a sense of history. My favorite story related to about 16 or 18 years ago. I was a Member of the House of Representatives, when I was on the Appropriations Committee, and ROBERT C. BYRD was the chairman of the Senate Appropriations Committee. He was a powerful man. We were supposed to meet downstairs in a conference committee, House and Senate, the conference between both Appropriations Committees, on a transportation bill.

To no one’s surprise and without any apology, Senator BYRD had quite a few West Virginia projects in that bill. Congresswoman FRANK WOLF of Virginia, a Republican, who was on the committee on the House side. When he looked at the West Virginia projects, he got upset. He said it publicly in the Washington Post and other places that he had thought Senator BYRD had gone too far.

That was a pretty bold move by Congresswoman WOLF to make those statements in the minority about the chairmanship of the Appropriations Committee. I could not wait for that conference committee because the two of them would literally be in the same room. In fact, it turned out to be even better. They were not even in the same room, but Senator BYRD’s staff had reserved a room across the table from Congressman WOLF.

The place was packed, waiting for this confrontation. Senator BYRD came in last and sat down very quietly in his chair and waited his turn. Congresswoman WOLF was exhausted by his protests about these Byrd projects, at which point Senator BYRD leaned over and said to whomever was presiding at that moment: May I speak? And they said: Of course.

Then he said: And I am going to have to paraphrase this. I think it is pretty close to what he said. There was no video camera there. I wish there had been. He said: Senator BYRD’s staff had reached in and grabbed his fiddle and said to what he said. There was no video camera there. I wish there had been. He said: In 1830, in January of 1830, January 19, 1830, which, if my memory serves me, was a Thursday, Daniel Webster and Mr. Hayne engaged in one of the most famous debates in American history. And off he went.

For the next 15 minutes, without a note, ROBERT C. BYRD tried to explain Webster’s views and the Constitution, and it was this: The Senate is created to give every State the same number of Senators—two Senators. The House is elected by popular vote. A small State such as West Virginia does not have much of a chance in the House of Representatives. It is small in a body of 435 Members. But in the Senate, every State, large and small—Virginia and West Virginia, Illinois, New York, California—each has two Senators.

The point Senator BYRD was making was: If I do not put the projects in in the Senate, we will never get them in the Senate. That is what the Great Compromise, the Constitution, and the Senate and the House are all about.

It was a masterful presentation, which led to a compromise, one might expect, at the end of the day in which Senator BYRD did quite well for his State of West Virginia.

Years passed, and I was elected to this body. I came here and I saw Senator BYRD sitting in that seat one day, and I said: I want to tell you the most famous debate I can ever remember—there was not a camera in the room, and I do not think anyone recorded it—I recalled his debate with FRANK WOLF.

I said: What I remember particularly is when you said: January 19, 1830, which was a Thursday, if I recall.

He said: Yes, I think it was a Thursday.

I said: I don’t doubt it was a Thursday, but that little detail was amazing. He kind of smiled. He did not say anything more. About an hour passed before the next rollcall, and he called me over to that desk. He had brought out a perpetual calendar and found January 19, 1830, and said: Mr. DURBIN, it was a Thursday.

I said: I didn’t dispute it, Senator.

It was an example in my mind of a man who understood this Constitution, understood his use of that Constitution for his State—some would say he overused it, but he was fighting for his State every day he was here—his command of history and his command of that moment.

That was ROBERT C. BYRD. They do not make them like that anymore. There just are not many people in our generation who can even claim to be in that position.

I recall it and I remember very well another conversation I had with him. You see, history will show that in his early life, ROBERT C. BYRD was a member of the Ku Klux Klan. Many of his detractors and enemies would bring that up. He would be very open about it if you brought it up, but he had changed, and his votes reflected it.

I once said to him: Of all these thousands and thousands of votes you have cast, are there any you would like to do over?

Oh, yes, he said. Three. There was one for an Eisenhower administration appointee which I voted against, and I wish I voted for him. I think that was a mistake. And, he said, I was wrong on the civil rights legislation. I voted the wrong way in the 1960s. And, he said, I made a mistake and voted for the deregulation of the airline industry which cut off airline service to my State of West Virginia. Those were three.

If you have been in public life or even if you have been on this Earth a while, I think you have learned the value of redemption. ROBERT C. BYRD, in his early life, made a mistake with his membership in the Ku Klux Klan. He was wrong. About the 1960s, he was wrong about civil rights legislation. And, he said, I made a mistake and voted for the deregulation of the airline industry which cut off airline service to my State of West Virginia. Those were three.

If you have been in public life or even if you have been on this Earth a while, I think you have learned the value of redemption. ROBERT C. BYRD, in his early life, made a mistake with his membership in the Ku Klux Klan. He was wrong. About the 1960s, he was wrong about civil rights legislation. And, he said, I made a mistake and voted for the deregulation of the airline industry which cut off airline service to my State of West Virginia. Those were three.
I tell you, it brought the house down. I don’t remember who else was there. I think Jimmy Carter was there. But I do remember that Bob Byrd was there.

When I came to the Senate, I thought: I cannot wait to see or hear him play that fiddle again. I learned that he was a music man and had a love of music. When he died in a automobile accident, he said: I will never touch it again, in memory of my grandson. That is the kind of family commitment he made as well. He would sing occasionally and occasionally have a Christmas party, and a lot of people would be lucky enough to get invited. He would sing. He was a man who had gone through some life experiences and family experiences that were very meaningful to him.

I remember another day when I was on the floor of the Senate and there was a debate about the future of the National Endowment for the Arts. Senator Ashcroft of Missouri wanted to eliminate the National Endowment for the Arts and spend all its money. I stood up to debate him. I was brand new here, not smart enough to know when to sit down and shut up. I started debating: I thought it was wrong, the arts are important, so forth. Those who opposed were Senator Feinerman. He walks in here and asks if he could be recognized. Everything stopped when he had asked for recognition. They said: Of course.

He said: I want to tell you what music meant to me. I was an orphan, and I was raised in a loving family. Early in life, they went out and bought me a fiddle. Music has always been a big, important part of my life. Out of nowhere, this man gives this beautiful speech, and then he quotes poetry during the course of the speech.

As one can tell, all of us who served with him are great fans of Robert C. Byrd and what he meant to this Senate and what he meant to this Nation. West Virginia has lost a great servant who served as chief of his home State. Time and again that was always the bottom line for him: Is this going to be good for the future of my little State of West Virginia? He fought for them and put them on the map in some regards and some projects. He was respected by his colleagues because of the commitment to the people who honored him by allowing him to serve in the Senate.

There may be a debate as to whether there is a heaven. If there is a heaven and they have a table for the greats in the Senate, I would ask Daniel Webster to pull up a chair for Robert C. Byrd of West Virginia.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

NOMINATION OF GARY SCOTT FeINERMAN

Mr. BURRIS. Madam President, very shortly, we are going to be voting on a judicial nomination. I come before this body to bring my thoughts on that action.

As a lawyer, as a former attorney general for the State of Illinois, I consider it a great privilege to evaluate and confirm nominees to the bench. The constitutional power of advise and consent is one this Senate must exercise with discretion. It determines the makeup of our judicial branch and helps preserve the principle of equal justice under law.

That is why I have come to the floor today in support of Gary Scott Feinerman, President Obama’s nominee to become a judge for the Northern District Court of Illinois.

Gary is an Illinois native and a graduate of both Yale and Stanford Universities. Over the past two decades, he has worked extensively in private practice—most recently for Sidney Austin, the respected Chicago law firm. He has served in the public sector, as well as a clerk to the U.S. Supreme Court and counsel at the Department of Justice.

From 2003 to 2007, he was Solicitor General of the State of Illinois. That is the person who argues the cases on behalf of the attorney general before the highest court, whether in Illinois or in the Nation. He held that position with distinction, proving his commitment to the highest ideals of fairness and justice.

Time and again over the years, Gary Feinerman has demonstrated his competence in the legal profession. His training is without equal. His experience is without equal. That is why I am proud to support his nomination to the Northern District Court of the State of Illinois.

We must demand the very best of our public officials, especially those who are entrusted with lifetime appointments on the Federal bench.

These fine men and women are charged with interpreting a body of law that is constantly evolving. They must navigate a treacherous landscape, full of gray areas, to arrive at sound legal truth. The answers are seldom easy, but I have confidence in Gary Feinerman’s ability to rise to this challenge. At every stage, he has proven his considerable intellect and his passion for the law. I am proud to join the President in calling for his swift confirmation.

I ask my colleagues to join me in pledging to afford the nominee a fair and timely vote to confirm him to the bench.

This body has a crowded legislative calendar in the months ahead, but cases have piled up in the Northern District of Illinois, and every single day more judicial nominees await as vacancies remain unfilled. Even as we consider Mr. Feinerman’s confirmation today, another Illinois nominee, Judge Sharon Johnson-Coleman, awaits a similar up-or-down vote. We need to rise to our constitutional duty and vote on these nominees. We must waste no more time in allowing this fine public servant to work.

Let’s put our judges to work. Let’s confirm Mr. Feinerman now.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, first, I wish to thank the Senator from Montana for allowing me to make some brief remarks, and then I will turn to him.

I join my colleague, Senator BURRIS, in asking my colleagues on both sides of the aisle to vote in just a few moments on the nomination of Gary Feinerman to be a U.S. district court judge for the Northern District of Illinois.

Gary Feinerman is one of the brightest lights in the Chicago legal community. He is a partner at one of Chicago’s oldest and largest law firms, Sidley Austin, where he specializes in litigation and appellate work. Before that, he served as Illinois’ solicitor general and represented our State in many very valuable and important appeals. He won five “Best Brief” awards from the National Association of Attorneys General, and he has argued cases before the U.S. Court of Appeals for the Seventh Circuit, as well as the Illinois Supreme Court. Earlier in his career, Mr. Feinerman worked at the Chicago law firm of Mayer Brown and in the Justice Department’s Office of Policy Development. He served as law clerk for Supreme Court Justice Anthony Kennedy and for Seventh Circuit Judge Joel Flum. He is a leader in the Chicago legal community. He is the president of the Appellate Lawyers Association of our State and serves on Chicago’s Constitutional Rights Foundation and the Midwest chapter of the Anti-Defamation League. He has also had a very active pro bono practice, which speaks well of his commitment as a professional.

Mr. Feinerman’s academic record is also impressive. He graduated from Stanford University and the University of Chicago law school, where he finished second in his class. Not surprisingly, he received the highest possible rating of “well-qualified” from the American Bar Association for this commitment.

We currently have six—six—vacancies in the Northern District of Illinois. We need to fill them quickly so that we don’t slow down the process of justice. I hope the Senate will confirm Gary Feinerman today and move very quickly to Justice Sharon Coleman, who is also on the calendar. Mr. Feinerman will be an excellent judge, and Judge Coleman will join him, with the blessings of the Senate, to start to fill these important vacancies.

Madam President, I yield the floor and again thank my colleague from Montana.

Mr. TESTER. Madam President, I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.
Mr. TESTER. Madam President, I have a short speech to give today about a giant of a man. I rise today out of deep respect for our colleague, Senator ROBERT C. BYRD. Sharla and I extend our condolences to the Byrd family and to all the people of West Virginia. We join you in mourning but also in a celebration of his life and his successes as a public servant.

Senator BYRD liked to call me "the Mountain Man," and when somebody from the Mountain State calls you that, it is an incredible compliment. Senator BYRD and I had a few things in common: We were both from very small towns, we both married our high school sweethearts, and we both made a living at one time as meat cutters. He must have had an eye for the butchering business because he liked to guess my weight. And wouldn't you know, he always came within 3 pounds. You could say Senator BYRD convinced me to spend a little more time in the gym.

Senator BYRD was elected to Congress 4 years before I was even born, and he always shared his wisdom with those of us who admired it. I am honored to call Senator BYRD a respected teacher and a trusted friend.

I was Presiding Officer on the day the farm bill came before the Senate. Instead of signing the farm bill himself, Senator BYRD let me sign the bill. Although it went unspoken, I know it was because he saw me as the farmer in the Senate. It was truly an honor for me to be able to do that.

Another thing Senator BYRD and I had in common was our upbringing in rural America. He was always proud to fight for folks making a living off the land and in the woods. He was a powerful advocate, and he represented West Virginia with tireless passion. He valued hard work and common sense. Those values are a matter of survival in America. They are values you take with you as you go to Congress, and Senator BYRD showed us that.

Madam President, we will miss Senator BYRD very much. His work over the decades on the Hill has made the entire country a better place for us and for our kids and grandkids.

Before I came to Capitol Hill 3½ years ago, many folks came up to me and said: You are going to have an experience of a lifetime. You will meet some incredible people.

And I will tell you that one of the most incredible men I have met since I have been here was Senator BYRD. We miss you.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF GARY SCOTT FEINERMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Gary Scott Feinerman, of Illinois, to be United States District Judge for the Northern District.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be for debate on the nomination, with the time equally divided and controlled between the Senator from Vermont, Mr. LEAHY, and the Senator from Alabama, Mr. SESSIONS.

Mr. TESTER. Madam President, I ask unanimous consent that the time during the quorum call be equally divided.

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

Mr. TESTER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Madam President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mrs. BOXER are printed in today's RECORD under "Morning Business.")

Mr. LEAHY. Madam President, today the Senate is proceeding on only one of the 23 judicial nominees stalled by Republican obstruction from action by the Senate. The nominee the Senate will confirm tonight has been stalled for more than 10 weeks, even though his nomination was reported without a single objection from the Judiciary Committee on April 15. There are eight other judicial nominees who have been stalled for at least as long, or longer, and nominees who were favorably reported last year, last November, still being obstructed.

This confirmation was needlessly delayed for no good purpose. The services of this judge are sorely needed in the Northern District of Illinois. I congratulate Mr. Feinerman and his family on his confirmation today.

The Senate Republican leadership refuses to enter into time agreements on pending judicial nominations. That stalling and obstruction is unprecedented. The refusal to enter into a time agreement to consider the North Carolina nominees to the Fourth Circuit, who were reported in January, de-
they were in the Senate majority, 1990, 1994, 2002, or in the Senate minority, 1982. Senate Republicans, by contrast, have shown an unwillingness to consider judicial nominees of Democratic Presidents, 1996, 2009, 2010.

Over the last recess, I sent a letter to Senator MCCONNELL and to the majority leader concerning these matters. In that letter, I urged, as I have since last December, the Senate to schedule votes on these nominations without further obstruction or delay. I called on the Republican leadership to work with the majority leader to schedule immediate votes on consensus nominations—many, like that finally being considered today, I expect will be confirmed unanimously—and consent to time agreements on those on which debate is requested. As I said in the letter, if there are judicial nominations that Republicans truly wish to filibuster—after arguing during the Bush administration that such action would be unconstitutional and wrong—they should so indicate to allow the majority leader to seek cloture to end the filibuster. It is outrageous that the majority leader will be forced to file cloture petitions to get votes on the North Carolina, Tennessee and other nominees.

After this confirmation, there will still be 22 judicial nominees favorably reported by the Judiciary Committee being stalled from Senate consideration by the Republican leadership. The PRESIDING OFFICER (Mr. KAUFMAN). Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gary A. Kaufman. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gary A. Kaufman. After this confirmation, there will still be 22 judicial nominees favorably reported by the Judiciary Committee being stalled from Senate consideration by the Republican leadership.

The PRESIDING OFFICER (Mr. KAUFMAN). Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gary A. Kaufman. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gary A. Kaufman. After this confirmation, there will still be 22 judicial nominees favorably reported by the Judiciary Committee being stalled from Senate consideration by the Republican leadership. The PRESIDING OFFICER (Mr. KAUFMAN). Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gary A. Kaufman. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gary A. Kaufman. After this confirmation, there will still be 22 judicial nominees favorably reported by the Judiciary Committee being stalled from Senate consideration by the Republican leadership.
used ammonium nitrate as their main explosive ingredient. This is the No. 1 killer of United States and coalition forces. In 2009 alone, 275 American troops were killed by IEDs. In addition to the lethality of IEDs, they have a tremendously destabilizing effect on our troops. We have seen our forces to move at a slower pace and take away their focus from the mission at hand.

Ammonium nitrate bombs, often crude and pressure-plate devices buried in dirt lanes or heaps of trash, are very difficult to detect.

Americans remember, unfortunately, the deadly power of ammonium nitrate from its use by Timothy McVeigh in the 1995 Oklahoma City bombing which killed 168 Americans. It can be used, as we know, as a fertilizer as well as an explosive in the mining and construction industry. Its use in the United States is tightly restricted. President Karzai of Afghanistan has rightly recognized this threat and has banned its use as a fertilizer. Afghan troops and police, supported by ISAF forces, have begun a concerted effort to crack down on its proliferation, distribution, and sale. On Wednesday, ISAF reported that 11 tons of ammonium nitrate were seized by Afghan forces supported by NATO troops. These 11 tons would have been enough to build more than 500 IEDs—IEDs that could have been used to kill NATO forces, Afghan troops, and civilians.

The Afghan Government appears committed to this fight and has enacted the appropriate legal measures and enforcement efforts. But ammonium nitrate is still ubiquitous in Afghanistan due to smuggling along supply routes from its neighbors, particularly along Pakistan's tribal belt where smuggling is a way of life. The Los Angeles Times newspaper reported last month that as much as 85 tons of ammonium nitrate is smuggled into Afghanistan from Pakistan in a single night, a shipment that could yield more than 2,500 bombs. Even as we heard recently that 11 tons were intercepted, this published report says that 85 tons can be smuggled in a single night.

Along with seven of my colleagues—Senators LEVIN, REED, SNOWE, WEBB, KYL, McCASKILL, and KAUFMAN—I have submitted a resolution calling for continued and increased efforts and focus by the Governments of Pakistan, Afghanistan, and the central Asian countries in that region to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent criminal groups, insurgents, and terrorist organizations from transporting ammonium nitrate into Afghanistan where it is used in these improvised explosive devices.

I am committed to highlighting this threat and supporting United States and international efforts to crack down on the proliferation of precursor chemicals such as ammonium nitrate.

The Joint Improvised Explosive Device Defeat Organization—JIEDDO—which includes coalition partners from the United Kingdom, Canada, and Australia, has led an impressive effort to combat IEDs at every step in the process. The U.S. Immigration and Customs Enforcement recently announced Project Global Shield, which is an unprecedented multilateral law enforcement operation aimed at countering the illicit diversion and trafficking of precursor chemicals, such as ammonium nitrate.

Pakistan has made efforts to contend with ammonium nitrate in large part because the threat has begun to impact the security of its country as well. Recent coordination between Pakistani civilian and military entities on the IED issue has been positive. The Government of Pakistan has formed an interagency national coalition IED forum. We are also beginning to see efforts at the local level, such as small-scale bans and regulations in the community of Malakand. I hope Pakistan expeditiously approves its draft legislation to better control explosive materials in the country and make a concerted effort at enforcement.

We must exercise extraordinary vigilance in stemming the unregulated flow of ammonium nitrate in this region because of its importance to U.S. national security interests, as well as, of course, to the lives of our troops.

The United States, together with our allies, must do everything we can to make it more difficult for our enemies to make IEDs. I am committed to this task for the long term. I also understand terrorists will resort to different strategies and different ingredients after we are better able to restrict the flow of ammonium nitrate. Implementing more robust and interdiction measures is important, but we also must do more to disrupt and dismantle terrorist and criminal organizations in making such efforts viable. Fighting multilateral engagement, regulatory measures, training, and technological efforts, building border control capacity, and other means as well.

There are a host of other ingredients terrorists can and probably will utilize in IEDs. But ammonium nitrate is what they are using today to kill scores of U.S. troops. We must do all that is in our power to ensure the job of making these bombs is made more difficult. When they shift tactics and use other ingredients, we will go after those too. Restricting the flow of ammonium nitrate is, in fact, a very difficult challenge. But we must do all we can to protect our troops on the ground across the world, but especially our troops in Afghanistan. There is no more important task at hand.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. CASEY. Mr. President, I wish to offer a few words in remembrance of Senator BYRD. I will offer a longer statement for the RECORD, but I wish to give a few thoughts now.

We do mourn his passing. We see at his desk today a reminder of his passing. To say that ROBERT BYRD was a towering figure in the history of the Senate does not begin to describe his impact, his influence and, indeed, the memory he leaves behind, the legacy he leaves behind for those of us in the Senate, for his home State of West Virginia, and I know for millions of Americans.

He was a strong advocate for not just his point of view but, more importantly, for the people of West Virginia. He arrived in the Senate in 1958—before I was born. I was pleased to have the opportunity and honor, the chance to serve with him a couple of years. He was a strong advocate. He was also a remarkable orator. Even in the last couple years of his life when some might have thought he was slowing down a little, when he got the microphone, he could deliver a speech like no other. He was a tremendous orator who believed in what he was saying, believed in the traditions of the Senate, believed, and more, believed in fighting for the working men and women and the families of West Virginia.

We also knew him as a scholar—a scholar of not just this institution, maybe the leading scholar of all time when it comes to the institution of the Senate, but also as a constitutional scholar.

His was a life of commitment, of real fidelity, first and foremost I believe to his family. He spoke often of his wife Erma. In the portrait that is just outside the door, there are three items in his area of control in the picture. He has his hand on the Bible, the Scriptures he has a copy of the Constitution, and a picture of his beloved wife Erma, about whom he spoke so often. He was committed and had a life of commitment to his family and his State. But he was also committed to the people of West Virginia for so many years, so many battles on their behalf and especially the families of West Virginia.

Of course, he also led a life of commitment and fidelity to the Constitution and knew it better than anyone I have ever met and certainly better than some of our more renowned constitutional scholars.

Of course, we know of his commitment to this institution, to the Senate. We know that the multivolume work he did, the one volume in and of itself—hundreds of pages on the history of the Senate, everything from his presidency or poetry or gave on the floor of the Senate, some of them written out, but some of them he could give by memory.

We know of his capacity to extemporaneously talk about so many topics, whether it was history or poetry or Scripture or the history of the Senate. We will miss his scholarship, we will miss his service, and we will miss his
fidelity to his country and to his home State. I, along with others here, am honored to have served with him in this body. For me it was 3½ years. To be in his presence, to listen to him, to learn from him is a great gift. We mourn his passing. I do not think any of us will believe there will ever be a Senator quite like him in the 50 years he served in this body. In addition to serving the people of West Virginia in the House of Representatives, as well as in the legislature in West Virginia.

We say farewell and God bless and Godspeed to ROBERT BYRD and his memory. We are praying for and thinking this day and I know many future days about his legacy and his family.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CASEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. CASEY. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO JOE FRANK NEIKIRK

Mr. MCCONNELL. Madam President, I rise to pay tribute to Joe Frank Neikirk and the business success he has helped build. Mr. Neikirk is the president and general manager of Paul’s Discount in Somerset, KY. Paul’s Discount has become a local institution in the region, and this month celebrates its 50th anniversary of operations.

The land that Paul’s Discount now sits upon was purchased by Joe’s ancestors, Franklin Neikirk, and his spouse for 500 cords of wood in 1856. Joe’s parents, Paul E. and Frances R. Neikirk, opened the first discount store in south-central Kentucky on that land 104 years later in the early spring of 1960.

Founder Paul Neikirk passed away in 1974. Today Joe runs the store with his wife Jamie. The original store occupied only about 1,800 square feet and had three employees. Today, Paul’s Discount boasts more than 20,000 square feet of selling space, plus three warehouses.

They offer sporting goods, hardware, automotive goods, clothing and crafts.

Joe’s glad he’s still in the same original location, saying, “You can’t duplicate the atmosphere of this building.” Judging by the crowd that turned out for the 50th anniversary, he must certainly be right.

The Commonwealth Journal recently published an excellent article about Paul’s Discount. It focuses on the DiNorkirk family’s legacy and the 50th anniversary celebration that I would like to share with my colleagues. I ask unanimous consent that the full article be printed in the Record.

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

(From the Somerset Commonwealth Journal, June 13, 2010)

50 YEARS OF SERVICE—“UNIQUE” PAUL’S DISCOUNT—A PULASKI GEM

(By Tricia Neal, CJ Staff Writer)

Paul’s Discount has always had a steady stream of customers, but yesterday, the customers were passing through the parking lot and spilling out onto Ky. 2227 to help president and general manager Joe Frank Neikirk and his employees celebrate 50 years in business. Paul’s Discount, opened in 1960 by Joe’s parents, Paul and Frances Neikirk, is described by Joe as a “unique” store—offering sporting goods, hardware, automotive goods, clothing, and crafts.

What started as an Army surplus store with three employees has evolved into a sprawling, multi-department retail store with 30 employees, all of whom Joe says helps make Paul’s “a very, very, very, very unique store.”

“God has blessed us with good employees at every level, from department managers to cashiers,” he said.

Some of Paul’s Discount’s employees have worked in the store for nearly 30 years. Joe himself worked in his parents’ store while he was in high school and college—and even earlier, he recalled, passing out baby chickens to customers at Easter.

“Customer service is the big thing about Paul’s,” Joe said. “You actually get somebody to ask you if you need help.” That kind of friendly service is what brings customers from Pulaski County and even from southern Kentucky, Ohio, and from other points east and west.

Paul Neikirk opened Paul’s Surplus on his ancestors’ land north of Somerset in 1960. In the beginning, the shop—the first discount store in south central Kentucky—occupied only about 1,800 square feet of space. Paul surrounded himself with three employees. Joe, his brother, Lyle Neikirk, took over management of the business. Lyle retired in 1994, leaving the shop in the hands of Paul’s sons, Joe and Ryan Neikirk.

Joe continues to manage the store, which now offers more than 20,000 square feet of selling space plus three warehouses, but he says his job has been made easy by those who work alongside him, Jamie, and I run the store. She does human resources, the employees do most everything else, and I handle whatever is left,” he said.

“Our employees are almost self-sufficient.” While the merchandise available at Paul’s is constantly changing, Joe hopes the store will continue to keep customers loyal.

“We could never know Paul’s,” Joe said. “You can’t duplicate the atmosphere of this building.” Joe adds that his employees help create the atmosphere there.

While many things have remained the same at Paul’s throughout the years, the current management is making sure the business keeps current. Neikirk never would have imagined that his little shop would eventually be accessible to millions on the Internet. Now, the business can be found at www.paulsdiscount.com and on Facebook.

“That’s part of it nowadays,” Joe said. But he still believes customers appreciate a good, old fashioned brick and mortar shopping experience.

“People still like to come to a store and look at what they’re buying,” he said. Paul’s Discount is located on Ky. 2227, just north of SomerSplash water park. Ky. 2227 is part of the former North U.S. 27, and was once the most highly traveled road in the county. The store is now a little more out-of-the-way than it once was, but Joe says the change in traffic patterns hasn’t hurt his business.

“We don’t allow parking lots to spill over onto the street,” he said. “That’s the way the parking lot is run.”

“Many local people were lost for a while,” Joe recalled. “We were really dead for a couple of weeks. But people find their way. … It was an incredible risk (to stay in the same location). I thought it would affect us a lot more than it has.”

“People still come to a store and then park in two places, one for the parking lot and another out in the lot.”

Store hours are 8 a.m. to 8 p.m., Mondays through Saturdays.

NOMINATION OF ELENA KAGAN

Mr. LEAHY. Madam President, this morning, the Supreme Court concluded its work for the term and, accordingly, it was Justice John Paul Stevens’ last day on the Court. This afternoon, the Senate Judiciary Committee began the hearing on the nomination of Elena Kagan to succeed Justice Stevens on the Supreme Court of the United States.

Solicitor General Kagan appropriately included a tribute to Justice Stevens in her opening remarks. The Nation is indebted to Justice Stevens for his decades of service to this country, from his days as a Navy intelligence officer during World War II for which he was awarded a Bronze Star, to his contributions as a circuit judge, to his 35 years on our highest Court and his leadership there.

When I visited with Justice Stevens earlier this year he shared with me the note President Ford had written a year before his death in which the President said: “I am prepared to allow history’s judgment of my term in office to rest (if necessary, exclusively) on my nomination 30 years ago of John Paul Stevens to the U.S. Supreme Court.”

President Ford was justifiably proud of his nomination. Despite those on the far right who have ranted against Justice Stevens’ refusal to be bound by narrow, conservative ideology and who have criticized his good judgment—just last week Justice O’Connor and Justice David Souter—his was principled jurisprudence founded on adherence to the rule of law and
an appreciation for the effects of decisions.

His was the first Supreme Court nomination on which I have been privileged to vote. I have never regretted supporting his confirmation. Just as I reached across the political aisle to support his confirmation for Justice Stevens, Justice O’Connor, and Justice Souter, who were nominated by Republican Presidents, I have urged Senate Republicans to carefully consider President Obama’s nominations.

Justice Stevens has written important decisions upholding the power of Congress to pass legislation to protect hard-working Americans. He brought to his opinions a keen understanding of the distinct roles set forth in our Constitution for courts and for our democratically elected Congress, and a respect for both. In Gonzales v. Raich and in Tennessee v. Lane, Justice Stevens authored the Supreme Court’s opinions upholding Congress’ actions. I suspect these precedents will be even more important as the Supreme Court continues to examine laws passed by Congress to protect Americans from discriminatory health insurance policies and fraudulent Wall Street practices.

A decade ago, the Supreme Court overreached and unnecessarily waded into the political thicket to award the presidency in a close election to George W. Bush. In his dissent, Justice Stevens lamented that the decision would damage the Court’s reputation and it did. He noted: “Although we may with complete certainty the identity of the winner of this year’s Presidential election, the identity of the loser is perfectly clear. It is the Nation’s confidence in the judge as an impartial guardian of the rule of law.”

While the public’s memory of that partisan decision was receding, it came rushing back when the Supreme Court issued another election-related decision last year. In Citizens United, five conservative, activist Justices overturned a century of law to empower corporations to overwhelm and distort the democratic process by using corporate funds to influence elections. Those five Justices substituted their own preferences for the judgment of Congress that had built on decades of legal development to pass bipartisan campaign finance reform legislation. In order to reach its divisive and undemocratic decision, the Court overstepped the proper judicial role, and rejected not just the conclusions of the elected branches, but also its own recent precedent upholding the very law it chose to overturn. In one of his most powerful dissents, Justice Stevens noted that: “[T]he Court’s ruling threatens to undermine the legitimacy of elections across our nation. The path it has taken to reach its outcome will, I fear, do damage to this institution.” He was right, again.

I share Justice Stevens’ concern for the Court’s reputation. Two of the three branches of government are involved in campaigns and elections. When the American people see the third branch reaching out to influence those elections—as they did most recently in Arizona—they rightly get suspicious of its impartiality. I hope that Elena Kagan will show the judgment and forthrightness of Justice Stevens and share our concern about the Court’s possible abuse of judicial power. Based on her Oxford thesis almost 20 years ago, before she had even attended law school, I expect that she will. I hope that she will honor Justice Stevens’ extraordinary legacy and that of the Justice for whom she clerked, Justice Thurgood Marshall, by so doing.

The country needs and deserves a Supreme Court that bases its decisions on the law and the Constitution, not politics or an ideological agenda. A recent pattern of Supreme Court decisions has emerged by a conservative, activist majority. These opinions have twisted both the Constitution and the law to favor big corporations over the interests of hard-working Americans.

The most recent of this conservative activism came just last week in a case called Rent-a-Center v. Jackson when they distorted their own precedent the clear congressional intent in passing the Federal Arbitration Act, FAA. Congress intended the FAA to apply to employment cases and certainly did not intend involuntary and unconscionable provisions requiring binding mandatory arbitration to override civil rights protections against racial discrimination and retaliation, as was allowed in that case. The five Justices distorted the law to forbid almost all court challenges to arbitration. In doing so, the court stripped quintessential civil rights protections that have passed over the last several decades for hundreds of thousands of Americans who work under mandatory arbitration agreements. It is artifice and activism to the detriment of hard-working Americans who deserve their day in court.

The law is not a game. The law is intended to serve the people—protecting the freedom of individuals from the tyranny of government or the mob, and helping to organize our society for the good of all. We should substitute his or her personal preferences and overrule congressional efforts passed into law to protect hard-working Americans pursuant to our constitutional role. Judges must approach every case with an open mind and a commitment to fairness and the rule of law. I was encouraged to hear Solicitor General Kagan voice similar views in her eloquent opening statement today. I hope Americans took the opportunity to see and hear from the nominee herself. If they did, I suspect that they will be supportive.

Tomorrow each Senator on the Judiciary Committee, whether Republican and Democrat, will have 30 minutes to question her. I urge Senators to listen to Solicitor General Kagan’s responses and to approach the hearing with the same openmindedness and impartiality that we expect from Supreme Court Justices.

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS BARRY DANIEL SMITH

Mrs. SHAHEEN. Madam President, today I rise to express my deepest sympathies to the family of Army PFC Barry Daniel Smith, who died on May 7 while stationed at Fort Hood, TX. He enlisted in the Army in October of 2009 and completed basic training and Multiple Launch Rocket System training before joining the 2nd Battalion, 20th Field Artillery, MLRS, 41st Fires Brigade. The American people will forever be grateful to Private First Class Smith for his willingness to serve.

A longtime New Hampshire resident, Barry was a graduate of Littleton High School and Hesser College in Manchester, where he earned a degree in criminal justice. He was a lover of the great outdoors, of hunting and camping with family and friends. With his friendly nature and wonderful laugh, Barry made friends easily and had many.

Private Smith exemplified the best in America’s long tradition of service to this country. He was extremely proud to serve in the U.S. Army. Our Nation can never adequately thank Private Smith for his willingness to make the ultimate sacrifice in the defense of the American people, nor can words diminish the pain of losing this young soldier. It is now up to us to honor his memory by supporting our veterans and their families and ensuring America’s continued security.

Private Barry Smith is survived by his parents Dan and Shelly Smith of Auburn, ME, and Linda and Jonathan Larrivée of Littleton, NH. He is also survived by numerous siblings, grandparents, aunts, uncles and cousins. This young patriot will be dearly missed by all.

I ask my colleagues and all Americans to join me in honoring the life of Army PFC Barry Daniel Smith.

TAX EXTENDER BILL

Mr. GRASSLEY. Madam President, I was surprised to see the Senate majority leader on Friday morning, in some of the harshest possible language, make the misleading assertion that Senate Republicans oppose the underlying policy in the tax extenders bill. His statement conveniently ignored the basic reason nearly every Republican for opposing the Democratic leadership’s substitute. It was opposed to because it perpetuated the large deficit that has become the modus operandi of the Democratic leadership.

The way to a bipartisan agreement is to follow the path set 1 week ago
today. Just 1 week ago, the Senate passed a bill that extended the so-called Medicare doc fix for several months.

The bill was fully offset. It was paid for. It did not add to the deficit. Every Republican Senator supported it. And I am absolutely opposed to it. I would like to make a couple of points on the process employed by the Democratic leadership. The majority leader’s comments this morning are typical of the dysfunctional way that these routine extensions are unnecessarily delayed by the strategy and tactics of the Democratic leadership.

What I find surprising is that we took up a package, the fourth in the latest series, that, like previous exercises, absolutely belongs to the Senate Democratic leadership. That is to say they continued to refuse to take up a bipartisan package that I put together with Finance Committee Chairman Baucus. To be sure, some of the structure and the terms of the agreement my friend, the chairman and I reached.

I was under the impression that the Senate Democratic leadership was genuine in its desire to work on a bipartisan basis, but clearly I was mistaken. Although the Democratic leadership was highly involved in the development of a bipartisan bill, they arbitrarily decided to replace it with a bill that skews toward their liberal wing.

My second comment goes to the way in which the Democrats are referring to tax provisions that have been described by many on the other side, including those in the Democratic leadership. If you rolled the videotape back a few months or so ago, you would hear a lot of disparaging comments about these routine, bipartisan extenders. From my perspective, those comments were made in an effort to sully the bipartisan agreement reached by Chairman Baucus and me.

If you take a look at newspaper accounts of that period, you’d come away with the impression that the tax extenders are partisan pork for Republicans. A representative sample comes from one report, which describes the bipartisan bill as “an extension of soon-to-expire tax breaks that are highly beneficial to major corporations, known as tax extenders, as well as other corporate giveaways that had been designed to win GOP support. The Washington Post included this attribution to the Senate Democratic leadership in an article at that time: ‘We’re pretty close,’ [the majority leader] said Friday during a television appearance in Nevada, adding that he thought ‘fat cat’ would have benefited from these expiring tax breaks, from the larger Baucus-Grassley bill.”

The portrait that was painted by certain members of the majority in some press reports was inaccurate.

For one thing the tax extenders include provisions such as the deduction for qualified tuition and related expenses and also the deduction for certain expenses of elementary and secondary school teachers. If you are going to school or if you are a grade school teacher, the Senate Democratic leadership apparently viewed you as a fat cat. If your house was destroyed in a recent natural disaster and you still need relief provisions contained in the extenders package, too bad, because helping you would amount to a corporate giveaway in the eyes of some.

The tax extenders have been routinely passed repeatedly because they are bipartisan and very popular. Democrats have consistently voted in favor of extending these tax provisions. House Speaker Nancy Pelosi released a very strong statement upon House passage of tax extenders in December of 2009, saying this was “good for businesses, good for homeowners, and good for our communities.” December of 2009 was not very long ago. In 2006, the then-Democratic leader released a blustering statement “after Bush Republican Congress passed a few critical tax extenders” because “American families and businesses are paying the price because this Do Nothing Republican Congress refuses to extend important tax breaks.”

Recent bipartisan votes in the Senate on extending expiring tax provisions have come in the Emergency Economic Stabilization Act of 2008, the Tax Relief and Health Care Act of 2006, which passed the Senate by unanimous consent, and the Reinvestment Tax Relief Act of 2004, which originally passed the Senate by voice vote, although the conference report only received 92 votes in favor and a whopping 3 against. According to the non-partisan Congressional Research Service, extension of several of these provisions go back even further, including the Tax Relief Extension Act of 1999, which again passed the Senate by unanimous consent, but lost 1 vote on the conference report.

One Member on the other side said “Our side isn’t sure that the Republicans are real interested in developing good policy and to move forward together. Instead, they are more inclined to play rope-a-dope again. My own view is, let’s test them.” Another Member of this large 59-vote majority exclaimed, “It looks more like a tax bill than a jobs bill to me. What the Democratic Caucus is going to put on the floor is not only something called on job creation than on tax breaks.”

Reading those comments I found myself scratching my head. The only explanation for this behavior is that certain senators decided last week that it serves a deeply partisan goal to slander what have been for several years bipartisan and popular tax provisions benefiting many different people. The Washington Post article I quoted from earlier includes a statement from a Senate Democratic leader aide saying that “No changes were made, but anyone expecting us immediately to go back to a bill that includes tax extenders will be sorely disappointed.”

You can imagine, that today, after considering these comments, I am really scratching my head. We have before us the expiring tax and health provisions that were disparaged just a short time ago. Have they morphed from corporate tax pork? Have they suddenly acquired their character? Are these time-sensitive items, now expired for more than 2 months, suddenly jobs-related?

Madam President, I also want to correct the record regarding a statement made last Thursday night by the senior Senator from Illinois. He said that the international tax increases that the Democrats have called for in the extenders bill would stop companies from sending jobs overseas. If only these international tax increases would do that, I would be at the front of the line, doing what I could to pass them. But, unfortunately, that is not what they would do. I would like to briefly describe why, if anything, these international tax increases would actually tend to hurt the job market here at home in America.

Quite to the contrary of the complaint by the senior Senator from Illinois, these international tax increases would make American businesses less competitive in the global marketplace. Increased taxes increase the cost of doing business. Those tax increases are targeted only at U.S. companies on their business abroad. They are not aimed at foreign companies which the U.S. companies are competing side-by-side. Guess what. The cost must be absorbed by the U.S. company. The cost of these tax increases may make it less likely that American businesses will hire. Instead German, or Indian, or Chinese companies will out-compete and thus be hiring more. If the U.S. taxes the foreign subsidiaries of U.S. parent companies at ever higher rates, the result won’t be jobs kept here at home, but lost.

No, the result will instead be that the U.S. will become a less and less attractive place to have a parent company, to have a global headquarters. This will result in less, not more, but less jobs here in America.

That is certainly not my only objection. Not only could these international tax increases result in less American jobs, but these proposed tax increases have not had adequate vetting. There are reports which indicate that the international tax increases would actually be retro-active. These tax increases would be permanent tax increases, meant to pay for temporary tax reductions—a strange miss-match. If these international tax increases really are loop-hole closers, then it is squaring them to use them for such temporary provisions, rather than to use them to pay for corporate tax reform.

Finally, the business community— that is, the hiring sector—has reacted negatively to this bill, even though the bill also contains the tax extenders that the business community wants.
Those are the reasons that I oppose these tax increases.

SAFER AIR ACT

Mr. BENNETT. Madam President, I am pleased to rise today to speak about an important piece of legislation that I introduced last week with my friend Senator KLOBUCAR. The SAFER AIR Act is going to bring our commercial air travel security checkpoints into the 21st century. Threats to our Nation’s air travelers have advanced and magnetometers are simply not enough in this post-9/11 world. Our legislation would support and expand TSA’s current efforts to adopt and deploy advanced technologies, like the advanced imaging technology, and explosive trace detection at an accelerated pace to ensure such equipment is the primary screening method in every commercial airport.

The December 25 terror attempt on NW flight 253 was a frightening wake-up call that could have been prevented. It represents a failure in the mechanisms of our national security. This failed plot highlights our need to look at areas that can increase our security in the national airport system immediately. Important security improvements have been made in intelligence handling, but I am convinced more needs to be done. Airport security improvements are a needed and overdue addition to the legislative improvements that our traveling public should see.

I have been watching our domestic airport security closely in the past year. My airport in Salt Lake City, UT, is a testing site for advanced imaging technology. I have seen this machine in use, and been impressed with what represents a true advancement in the technology of safer skies. TSA needs to utilize equipment that is currently available to identify plastic and liquid explosives as well as move forward with the development and testing of new technologies to fight emerging threats.

Our bill will require TSA to install technology with the capability of detecting plastic explosives, liquid explosives and other nonmetallic threats and explosives. These devices have been tested and available since 2007. The delay in deployment has gone on long enough. The SAFER AIR Act will require this technology in all commercial airports by 2013 and will encourage advanced imaging technology with the capability of detecting plastic explosives, liquid explosives. These devices have been tested and available since 2007. The delay in deployment has gone on long enough. The SAFER AIR Act will require this technology in all commercial airports by 2013 and will encourage new technologies to fight emerging threats.

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I have been watching our domestic airport security closely in the past year. My airport in Salt Lake City, UT, is a testing site for advanced imaging technology. I have seen this machine in use, and been impressed with what represents a true advancement in the technology of safer skies. TSA needs to utilize equipment that is currently available to identify plastic and liquid explosives as well as move forward with the development and testing of new technologies to fight emerging threats.

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Under the leadership of executive director Tom Larimer, the Arkansas Press Association serves 135 newspapers: 99 weeklies, six semi-weeklies, 28 dailies and 2 free newspapers.

Our Arkansas newspapers inform citizens throughout the State and are an essential part of Arkansas’s culture. I appreciate the dedication of all of our Arkansas news media, and I commend them on their commitment to excellence in journalism.

As the professional association in the State, the Arkansas Press Association has a long history of supporting our local newspapers. All Arkansans should be proud of the hard work put in each day by our Arkansas news media, who work tirelessly to fairly and accurately report the news of the day. Their work educates and inspires each one of us, and I am grateful that we live in a society where reporters are able to perform their jobs freely and openly.

I again congratulate all of the winners of this year’s conference.

TRIBUTE TO MARTIN LEONARD SKUTNIK

Mr. CONRAD. Madam President, I would like to recognize and thank a dedicated civil servant, Martin Leonard Skutnik. Lenny, as he is known, recently retired after working for 30 years for the Congressional Budget Office. He started at CBO in 1980 handling the mail and messenger duties—before the advent of the internet, email, and broadband technologies—to help print and produce CBO reports and provide IT support. Lenny worked behind the scenes, tirelessly for three decades, to help provide Congress with the information it needed. Lenny was a model civil servant, and for that he deserves our respect and praise.

Lenny was also a model citizen, and whether he thought so or not, a hero. In January 1982, Lenny witnessed a horrible event when an Air Florida plane crashed into the Potomac River near the 14th Street bridge. Without so much as a thought about his own safety, Lenny jumped into the river, which was full of chunks of floating ice, and saved the life of one of the crash victims. He was honored later that month by President Reagan during his State of the Union Address, and this began the inspirational tradition of Presidents honoring ordinary people who have done extraordinary things.

Through it all, Lenny shied away from the spotlight and continued to report to work, putting 100 percent effort into his work each day. He worked hard, remained humble, and never sought to exploit his fame. His character exemplifies the best of the American spirit, and for that he deserves our admiration. I wish to thank Lenny for his hard work and for his heroism—may he enjoy a healthy and well-deserved retirement.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to
the Senate by Mrs. Neiman, one of his secretaries.

CAPS EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

The nominations received today are printed at the end of the Senate proceedings.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the following enrolled bill, previously signed by the Speaker of the House, was signed on today, June 28, 2010, by the President pro tempore (Mr. INOUYE):

H.R. 2194. An act to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5136. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 5175. An act to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to withdraw which were referred to the appropriate committees.

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4601. A communication from the Secretary of the Treasury, pursuant to law, the report of a rule entitled “Retaining F-22A Tooling: Options and Costs”; to the Committee on Armed Services.


EC-4603. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation for Marine Events; Temporary Change of Dates for Repeating Marine Events in the Fifth Coast Guard District” (Docket No. USCG–2010–0196) received in the Office of the President of the Senate on June 23, 2010, to the Committee on Commerce, Science, and Transportation.


EC-4605. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations for Marine Events; Potomac River, Washington, DC” (RIN1625–AA87). (Docket No. USCG–2010–0037) received in the Office of the President of the Senate on June 23, 2010, to the Committee on Commerce, Science, and Transportation.

EC-4606. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone, Port of Long Beach” (RIN1625–AA39). (Docket No. USCG–2010–0065) received in the Office of the President of the Senate on June 23, 2010, to the Committee on Commerce, Science, and Transportation.


EC-4609. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Sweep Zone; Marine Events within the Captain of the Port Sector Northern New England Area of Responsibility” (RIN1625–AA09). (Docket No. USCG–2010–0239) received in the Office of the President of the Senate on June 23, 2010, to the Committee on Commerce, Science, and Transportation.

EC-4610. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Sweep Zone; Marine Events within the Captain of the Port Sector Northern New England Area of Responsibility” (RIN1625–AA09). (Docket No. USCG–2010–0239) received in the Office of the President of the Senate on June 23, 2010, to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5137. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5175. An act to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.
EC–6417. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Fireworks, Mission Bay, San Diego, CA” ((RIN1625–AA00) (Docket No. USG–2010–0121)) received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6418. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Sea World Summer Nights Fireworks, San Diego, CA” ((RIN1625–AA00) (Docket No. USG–2010–0123)) received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6419. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; San Clemente 3 NM Safety Zone, San Clemente Island, CA” ((RIN1625–AA00) (Docket No. USG–2010–0188)) received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6421. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Riser for DEEPWATER HORIZON MODU 2C, Continental Shelf MODU in the Gulf of Mexico” ((RIN1625–AA00) (Docket No. USG–2010–0937)) received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC–6422. A communication from the Secretary of the Army, transmitting, pursuant to law, an annual report relative to the Strategic Petroleum Reserve for calendar year 2008; to the Committee on Energy and Natural Resources.

EC–6423. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Revenue Procedure: Safe Harbors for Sections 143 and 25” (Rev. Proc. 2010–25) received in the Office of the President of the Senate on June 23, 2010; to the Committee on Finance.


EC–6431. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report to the President, transmitting, pursuant to law, (3) reports relative to vacancies in positions in the Office of Management and Budget; to the Committee on Homeland Security and Governmental Affairs.

EC–6432. A communication from the Secretary of Education, transmitting, pursuant to law, a report on the Department’s Semi-annual Report to Congress on Audit Follow-Up for the period of October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6433. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including technical data and defense services to Japan and Israel to support the 737 Airborne Early Warning (AEW) radar system; a technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the C3 Commercial Communication Satellite Programs of Brazil in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–6434. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including technical data, and defense services to support the H–53, and H–92 families of helicopters in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–6435. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the ADF–2000 Fire Control System to the Commonwealth of Australia in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–6436. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the Airborne Fire Control Wedgetail System (WESPE 2–30) to Australia in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–6437. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Turkey and Poland for the manufacture of machined parts, subassemblies and components for all models of the H–60/S–70, H–53, and H–92 families of helicopters in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC–6438. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to the 737 Airborne Early Warning (AEW) radar system; a technical assistance agreement for the export of defense articles, including, technical data, and defense services to the Joint COCOM Flight Test Environment 22–09 (JFTET–22–09) in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–6439. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed amendment to the arms export program for the export of military equipment to Jordan and Israel; a cooperative agreement for the export of defense articles, including, technical data, and defense services to Jordan and Israel; an agreement for the export of defense articles, including, technical data, and defense services to Japan and Israel to support the manufacture and assembly of Helmet Mounted Displays for the Fighter Aircraft of the Armed Forces of Japan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–6440. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Arms Export Control Act, the certification of a proposed amendment to the arms export program for the export of military equipment to Jordan and Israel; a cooperative agreement for the export of defense articles, including, technical data, and defense services to Jordan and Israel; an agreement for the export of defense articles, including, technical data, and defense services to Japan and Israel to support the manufacture and assembly of Helmet Mounted Displays for the Fighter Aircraft of the Armed Forces of Japan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 2129. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to the American Association of University Women to provide for the establishment of a National Women’s History Museum (Rept. No. 111–216).

H. R. 1700. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to the National Women’s History Museum (Rept. No. 111–217).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times and referred, and referred as indicated:

By Mr. WHITEHOUSE (for himself and Mr. VITTER):
S. 3540. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN:

S. 3541. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 3542. A bill to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, to establish a Commission to investigate and report on corrective measures to prevent similar incidents, to improve the Oil Spill Liability Trust Fund and Federal oil spill research, and for other purposes; to the Committee on Finance.

S. 3543. A resolution notifying the Senate of the death of the Honorable Robert C. Byrd, a Senator from the State of West Virginia; considered and agreed to.

S. Res. 567. A resolution to elect Daniel K. Inouye, a Senator from the State of Hawaii, to be President pro tempore of the Senate of the United States; considered and agreed to.

S. Res. 568. A resolution notifying the House of Representatives of the election of a President pro tempore; considered and agreed to.

S. Res. 569. A resolution relative to the death of the Honorable Robert C. Byrd, a Senator from the State of West Virginia; considered and agreed to.

S. Res. 572. A resolution to the Committee on Environment and Public Works with respect to the President's Council on Physical Fitness and Sports, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 353

At the request of Mr. NELSON of Florida, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1392

At the request of Mr. DODD, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1392, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 2780

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2780, a bill to establish a comprehensive literacy program.

S. 3011

At the request of Mr. SCHUMER, the names of the Senator from Ohio (Mr. BROWN), the Senator from Georgia (Mr. ISAKSON) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 3011, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3183

At the request of Mr. WEBB, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 714, a bill to establish the National Criminal Justice Commission.

S. 1199

At the request of Mrs. BOXER, the name of the Senator from North Carolina (Mr. BURRE) was added as a cosponsor of S. 1199, a bill to promote freedom, human rights, and the rule of law in Vietnam.

S. 1273

At the request of Mr. DORGAN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 1273, a bill to amend the Public Health Service Act to provide for the establishment of permanent national programs for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1333

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1333, a bill to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include nonprofit and volunteer ground and air ambulance crews and first responders for certain benefits.

S. 3409

At the request of Mr. BROWNBACK, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 3409, a bill to make certain adjustments to the price analysis of propane...
prepared by the Secretary of Commerce.

S. 3424

At the request of Mr. Durbin, the name of the Senator from New Jersey (Mr. Menendez) was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3466

At the request of Mr. Leahy, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of S. 3466, a bill to require restitution for criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3489

At the request of Mr. Vitter, the name of the Senator from Utah (Mr. Hatch) was added as a cosponsor of S. 3489, a bill to terminate the moratorium on deepwater drilling issued by the Secretary of the Interior.

S. 3512

At the request of Mrs. Hutchison, the name of the Senator from Alabama (Mr. Sessions) was added as a cosponsor of S. 3512, a bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill.

S. 3519

At the request of Ms. Snowe, the name of the Senator from Rhode Island (Mr. Whitehouse) was added as a cosponsor of S. 3519, a bill to stabilize the matching requirement for participants in the Hollings Manufacturing Partnership Program.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Whitehouse (for himself and Mr. Vitter).

S. 3540. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environmental and Public Works.

Mr. Whitehouse. 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. 3540

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

SECTION 1. SHORT TITLE.—This Act may be cited as the “Clean Estuaries Act of 2010”.

SEC. 2. NATIONAL ESTUARY PROGRAM AMENDMENTS.

(a) PURPOSES OF CONFERENCE.—

(1) DEVELOPMENT OF COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section 323(b) of the Federal Water Pollution Control Act (33 U.S.C. 1330(b)) is amended by striking paragraph (4) and inserting the following:

“(4) develop and submit to the Administrator a comprehensive conservation and management plan for the estuary;”

(2) INSTITUTIONS.—Section 320(c)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1330(c)(5)) is amended by inserting “paragraph (7)” and inserting “paragraph (8)”.

(b) MEMBERS OF CONFERENCE; COLLABORATIVE PROCESSES.—

(1) MEMBERS OF CONFERENCE.—Section 323(c)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1330(c)(5)) is amended by inserting “not-for-profit organizations,” after “institutions,”.

(2) COLLABORATIVE PROCESSES.—Section 320(d) of the Federal Water Pollution Control Act (33 U.S.C. 1330(d)) is amended—

(A) by striking “(d)” and all that follows through “In developing” and inserting the following:

“(d) USE OF EXISTING DATA AND COLLABORATIVE PROCESSES.—

“(1) USE OF EXISTING DATA.—In developing the plan;

(B) by adding at the end the following:

“(2) USE OF COLLABORATIVE PROCESSES.—In updating a plan under subsection (f)(4) or developing a new plan under subsection (b), a management conference shall make use of collaborative processes—

(A) to ensure equitable inclusion of affected interests;

(B) to engage with members of the management conference, including through—

(i) the use of consensus-based decision rules; and

(ii) assistance from impartial facilitators, as appropriate;

(C) to ensure relevant information, including scientific, technical, and cultural information, is accessible to members;

(D) to promote accountability and transparency by ensuring members are informed in a timely manner of—

(i) the purposes and objectives of the management conference; and

(ii) the results of an evaluation conducted under subsection (f)(3);

(E) to identify the roles and responsibilities of members—

(i) in the management conference proceedings; and

(ii) in the implementation of the plan; and

(F) to seek resolution of conflicts or disputes as necessary.

(c) ADMINISTRATION OF PLANS.—Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended by striking subsection (f) and inserting the following:

“(f) ADMINISTRATION OF PLANS.—

(1) APPROVAL.—Not later than 120 days after the date on which a management conference submits to the Administrator a comprehensive conservation and management plan under this section, and after providing for public review and comment, the Administrator shall approve the plan, if—

(A) the Administrator determines that the plan meets the requirements of this section; and

(B) each affected Governor concurs.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—On the approval of a comprehensive conservation and management plan under this section, the plan shall be implemented.

(B) USE OF AUTHORIZED AMOUNTS.—Amounts authorized to be appropriated under titles II and VI and section 319 may be used in accordance with the applicable requirements of this Act to assist States with the implementation of a plan approved under paragraph (1).

(3) EVALUATION.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this paragraph, and every 5 years thereafter, the Administrator shall carry out—
“(1) an evaluation of the implementation of each comprehensive conservation and management plan developed under this section to determine the degree to which the goals of the plan have been met, and

“(ii) a review of the program designed to implement the plan.

(B) REVIEW AND COMMENT BY MANAGEMENT CONFERENCES.—(1) In completing an evaluation under subparagraph (A), and after providing for public review and comment, the Administrator makes an evaluation of the implementation of a comprehensive conservation and management plan approved by the Administrator shall submit the results of the evaluation to the appropriate management conference for review and comment.

“(C) REPORT.—

“(i) IN GENERAL.—In completing an evaluation under subparagraph (A), and after providing for public review and comment, the Administrator makes an evaluation of the implementation of a comprehensive conservation and management plan approved by the Administrator shall submit the results of the evaluation to the appropriate management conference for review and comment.

“(D) AVAILABILITY TO PUBLIC.—The Administrator shall make a report issued under this subparagraph available to the public, including through publication in the Federal Register and on the Internet.

“(E) LEAD COORDINATING AGENCY.—Notwithstanding subparagraph (A), if a management conference submits a new comprehensive conservation and management plan to the Administrator under the date of enactment of this paragraph, the Administrator shall complete the evaluation of the implementation of the plan required by subparagraph (A) not later than 5 years after the date of such submission and every 5 years thereafter.

“(4) UPDATES.—

“(A) REQUIREMENT.—Not later than 120 days after the date on which a management conference submits to the Administrator an update of the plan that reflects, to the maximum extent practicable, the results of the program evaluation.

“(B) APPROVAL OF UPDATES.—Not later than 18 months after the date on which the Administrator makes an evaluation of the implementation of a comprehensive conservation and management plan under subparagraph (A), and after providing for public review and comment, the Administrator shall approve the updated plan, if the Administrator determines that the updated plan meets the requirements of this section.

“(5) PROBATIONARY STATUS.—The Administrator may consider a management conference convened under this section to be in probationary status, if the management conference has not received approval for an updated comprehensive conservation and management plan under paragraph (4) before or on or before the last day of the 3-year period beginning on the date on which the Administrator makes an evaluation of the plan available to the public under paragraph (3)(C).

(d) FEDERAL AGENCIES.—Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended—

“(1) by redesignating subsections (g), (h), (i), and (j) of subsection (h) as subsections (h), (i), (j), and (k), respectively; and

“(2) by inserting after subsection (f) the following:

“(6) FEDERAL AGENCIES.—

“(1) ACTIVITIES CONDUCTED WITHIN ESTUARIES WITH APPROVED PLANS.—After approval of a comprehensive conservation and management plan under paragraph (d) by the Administrator, any Federal action or activity affecting the estuary shall be conducted, to the maximum extent practicable, in a manner consistent with the plan.

“(2) COORDINATION AND COOPERATION.—

“(A) IN GENERAL.—The Secretary of the Army (acting through the Chief of Engineers), the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, the Secretary of the Department of Agriculture, the Director of the United States Geological Survey, the Secretary of the Department of Transportation, the Secretary of the Department of Housing and Urban Development, and the heads of other appropriate Federal agencies, as determined by the Administrator, shall to the maximum extent practicable, coordinate and coordinate activities, including monitoring activities, related to the implementation of the comprehensive conservation and management plan approved by the Administrator.

“(B) LEAD COORDINATING AGENCY.—The Environmental Protection Agency shall serve as the lead coordinating agency under this paragraph.

“(3) CONSIDERATION OF PLANS IN AGENCY BUDGET REQUESTS.—In making an annual budget request for a Federal agency referred to in paragraph (2), the head of such agency shall consider the responsibilities of the agency under this section, including under subparagraph (A), the comprehensive conservation and management plans approved by the Administrator.

“(4) MONITORING.—The heads of the Federal agencies referred to in paragraph (2) shall provide by their agencies, and other appropriate Federal agencies, to the Administrator methodologies for monitoring the ecological health and water quality conditions of estuaries covered by a management conference convened under this section.

“(5) REPORT.—The Administrator shall make a report issued under this subsection, including the findings and recommendations of the Administrator under this section available to management conferences convened under this section.

“(6) LEAD COORDINATING AGENCY.—The Environmental Protection Agency shall serve as the lead coordinating agency under this paragraph.

“(7) FEDERAL AGENCIES.—

“(A) PROHIBITION.—Notwithstanding subsection (d), if a management conference has been in probationary status for 2 consecutive years, the Administrator may terminate the conference under this section.

“(B) PROBATIONARY STATUS .—The Administrator shall terminate a management conference convened under this section if the conference meets the requirements of this section.

“(c) GRANTS.—

“(1) ACTIVITIES CONDUCTED WITHIN ESTUARIES.—Activities, related to the implementation of an evaluation under this subsection, the Administrator makes an evaluation of the implementation of a comprehensive conservation and management plan developed by a management conference convened under this section, including under subparagraph (A), if a management conference has been in probationary status for 2 consecutive years.

“(2) SPECIFIC ASSESSMENTS.—In conducting an evaluation under this subsection, the Administrator shall—

“(A) assess the effectiveness of the national estuary program in improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section;

“(B) identify best practices for improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section, including those practices funded through the use of funds provided under this section from the Environmental Protection Agency and other Federal agencies;

“(C) assess the reasons why the best practices described in subparagraph (B) resulted in the achievement of program goals;

“(D) identify any redundant requirements for reporting by recipients of a grant under this section; and

“(E) develop and recommend a plan for limiting reporting any redundancies.

“(d) REPORT.—In completing an evaluation under this subsection, the Administrator shall submit a report on the results of the evaluation, including the findings and recommendations of the Administrator.

“(e) APPROVAL OF UPDATES.—Not later than 3 years after the date on which the Administrator makes an evaluation of the implementation of a comprehensive conservation and management plan developed by a management conference convened under this section, the Administrator shall—

“(1) approve an update to a management conference convened under this section; and

“(2) coordinate activities, including monitoring activities, related to the implementation of the comprehensive conservation and management plan approved by the Administrator.
(2) by striking subparagraph (B).

(j) GREAT LAKES ESTUARIES.—Section 320(m) of the Federal Water Pollution Control Act (as redesignated by subsection (d)) is amended by striking the subsection designation and all that follows through “and those portions of tributaries” and inserting the following:

“DEFINITIONS.—In this section, the terms ‘estuary’ and ‘estuarine zone’ have the meanings given in section 104(n)(4), except that—

“(1) the term ‘estuary’ also includes near coastal waters and other bodies of water within the Great Lakes that are similar in form and function to the transitional areas described in the definition of ‘estuarine zone’ in section 104(n)(4); and

“(2) the term ‘estuarine zone’ also includes—

“(A) waters within the Great Lakes described in paragraph (1) and transitional areas from such waters that are similar in form and function to the transitional areas described in the definition of ‘estuarine zone’ in section 104(n)(4);

“(B) associated aquatic ecosystems; and

“(C) those portions of tributaries.

By Mrs. FEINSTEIN:

S. 3541. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Deepwater Drilling Royalty Prohibition Act.

The purpose of this bill is to ensure that taxpayer dollars are not used to incentivize the dangerous and often dirty business of offshore drilling in deep waters.

Over the past decades, Congress has established a number of royalty-relief programs to encourage domestic exploration and production in deep waters. This may have made sense in times when oil prices were too low to provide energy companies with an incentive to drill in difficult places, and before we were ready to deploy large-scale renewable energy production.

But that is no longer the case. The events of the last weeks have shown that safety and response technologies are not sufficient in deep waters. I believe taxpayer-funded incentives should go to clean, renewable energy, not deepwater drilling for oil.

The disastrous impacts of the leak from the Deepwater Horizon have shown that offshore drilling has enormous environmental and safety risks—particularly in deep waters. Eleven people died and 17 others were injured when the Deepwater Horizon caught fire. All these weeks later, we continue to watch in horror as the scope of the disaster keeps expanding:

Oil slicks spread inexorably across the Gulf of Mexico.
Pelicans and other wildlife struggle to free themselves from crude oil; tar balls spoil the pristine white sand beaches of Florida; Wetlands are coated with toxic sludge; More than 1/3 of Federal waters in the Gulf have been closed to fishing; The plume of oil under water may create zones of toxicity or low oxygen for aquatic life; The oil may spread into the Atlantic Ocean via the Loop Current; The response techniques, such as the use of dispersants, may have their own toxic consequences; and

Upcoming storms may delay or prevent continued containment and response efforts.

The impacts of an oil spill are so dramatic and devastating. It is clear that I regulation, oversight and prevention technologies should be rigorous. But that is clearly not the case. Regulators failed to ensure appropriate safety and response technologies were in place.

MMS gave BP a categorical exclusion from an environmental impact analysis that in my opinion should never have been allowed.

MMS allowed BP to run a drilling operation without the demonstrated ability to shut off the flow of gas and oil in an emergency.

MMS allowed BP to operate without remote shut off capability in case the drilling rig becomes disabled.

MMS did not have an inspector on the rig to settle the heated argument between the BP, Transocean, and Halliburton officials on how they would stop drilling and plug the well.

MMS did not require the industry to have—emergency equipment stationed in the Gulf of Mexico that could respond immediately to an emergency.

MMS did not have a plan for responding to disasters.

MMS did not, in fact, have a real inspection and compliance program. It relied on the expertise and advice of the industry on how and how much they should be inspected.

This is not how things should be done. We expect more from our government.

Prevention and response technologies show similar unacceptable deficits: they are not good enough.

These have been much since the oil spill in 1989 off the California coast near Santa Barbara. That too was caused by a natural gas blowout when pressure in the drill hole fluctuated. It was successfully plugged with mud and cement after 11 and a half days, but oil and gas continued to seep for months. The Santa Barbara spill was devastating, but it was a tiny fraction of the size of the Deepwater Horizon spill.

The safety technology was not good enough, but now it appears that even the newest safety technology fails to prevent wellhead blowouts.

The Deepwater Horizon drill rig was just completed in 2001. The drill rig that caused the 2009 spill in the Montara oil and gas field in the Timor Sea—one of the worst in Australia’s history—was designed and built in 2007. That spill continued unchecked for 74 days.

The New York Times reports that the blind shear rams in the blowout preventer—the last line of defense to prevent wellhead leaks are “surprisingly vulnerable” to failure. One study found that blowout preventers have a failure rate of 45 percent.

These technologies are insufficient, and they are particularly vulnerable in deep waters.

Methane hydrate crystals form when methane gas mixes with pressurized ocean water. Methane hydrate of these crystals forming increases dramatically at about 400 meters depth. These crystals interfere with response and containment technologies. They formed in the cofferdam dome that was lowered onto the gushing oil in the Gulf, and prevented it from working. When a remotely operated underwater vehicle bumped the valves in the “top hat” device, the containment cap had to be removed and slowly replaced to prevent formation of these crystals again.

Other risks increase too, as explained by the Wall Street Journal:

Drilling in deeper water doesn’t change the fundamental process, but it makes virtually every thing harder. Rigs must be bigger so they can hold more drilling pipe to stretch vast distances. The pipes themselves must be stronger to withstand ocean currents. Equipment on the sea floor must be able to withstand extreme pressures at depth. Drill bits must be stronger so they don’t melt in the 400-degree temperatures they encounter deep in the earth. And it is harder for drillers to exert just the right amount of pressure down the well bore, enough to keep oil and gas from spurtting upwards—a blowout—but not enough that they crack open the rocks beneath the surface, which could also lead to a blowout.

It is clear that prevention, containment, and clean-up measures are not sufficient to handle oil leaks, particularly in deep waters.

American taxpayers should not forego revenue to incentivize offshore drilling. It is not good environmental policy, and it is not good energy policy either.

We need to move to cleaner renewable fuels.

I believe that global warming is the biggest environmental crisis we face—and the biggest culprit of global warming is manmade emissions produced by the combustion of fossil fuels, like oil and coal.

Taxpayer funded incentives should not finance production of fossil fuels—particularly in places where the production itself poses potential devastation, but rather should be used to develop and deploy clean energy technologies like wind and solar. I very much believe this.

That is why I have worked with my colleagues on a number of legislative initiatives designed to reduce greenhouse gas emissions, increase energy efficiency and incentivize the use of renewable energy.

One of our biggest victories was the enactment of the aggressive fuel economy law, called the Ten in Ten Fuel Economy Act, which was passed by Congress and signed into law by then-President Bush in the 110th Congress. This law, which I authored with Senator SNOWE, will improve fuel economy...
Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. Res. 567
Resolved, That Daniel K. Inouye, a Senator from the State of Hawaii, be, and he is hereby, elected President of the Senate pro tempore.

S. Res. 568
Resolved, That the House of Representatives be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

S. Res. 569
Resolved, That the President of the United States be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

S. Res. 570
Whereas it is illegal to manufacture, own, or use ammonium nitrate fertilizer in Afghanistan since a ban was instituted by Afghan President Hamid Karzai in January 2016; Whereas ammonium nitrate fertilizer has historically been and continues to be a primary explosive ingredient used in improvised explosive devices (referred to in this preamble as "IEDs") by Taliban insurgents in Afghanistan against the United States and coalition forces; Whereas 275 United States troops were killed by IEDs in Afghanistan in 2009; Whereas large amounts of ammonium nitrate are shipped into Afghanistan from Pakistan, Iran, and other Central Asian countries; Whereas the Government of Pakistan has indicated a willingness to work collaboratively with the Governments of the United States and Afghanistan on regulations and interdiction of ammonium nitrate fertilizer and other IED precursors; and Whereas the United States government continues to provide assistance to Pakistan for agricultural development and capacity building; Now, therefore, be it
Resolved, That the Senate—
(1) urges the Governments of Pakistan, Afghanistan, and other Central Asian countries to fully commit to regulating the sale, transport, and use of ammonium nitrate in the region; (2) calls on the Secretary of State—
(A) to continue to diplomatically engage with the Governments of Pakistan, Afghanistan, and other Central Asian countries to address the proliferation and transportation of ammonium nitrate and other improvised explosive device ("IED") precursors in the region; and (B) to work with the World Customs Organization and other international bodies, as appropriate, on initiatives to improve controls globally on IED components; and (3) urges the Secretary of State to work with the Government of Pakistan, Afghanistan, and other Central Asian countries to encourage and support improvements in infrastructure and procedures at border crossings to prevent the flow of ammonium nitrate and other IED precursors or components into the region.

SEC. 1. SHORT TITLE. This Act may be cited as the “Deepwater Drilling Royalty Prohibition Act”.

SEC. 2. PROHIBITION ON ROYALTY INCENTIVES FOR DEEPWATER DRILLING.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior shall not issue any oil or gas lease sale under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) with royalty-based incentives in any tract located in water depths of 400 meters or more on the outer Continental Shelf.

(b) ROYALTY RELIEF FOR DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is repealed.

(c) ROYALTY RELIEF FOR DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is amended by adding at the end of the section—

"(D) PROHIBITION.—Notwithstanding subparagaphs (A) through (C) or any other provision of law, the Secretary shall not reduce or eliminate any royalty or net profit share for any lease or unit located in water depths of 400 meters or more on the outer Continental Shelf.".

(d) APPLICATION.—This section and the amendments made by this section—

(1) apply beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published as of that date; and

(2) do not apply to a lease in effect on the date of enactment of this Act.

SEC. 3. OFFSHORE WIND DEVELOPMENT.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall not make or authorize the Secretary to make a lease sale in the Outer Continental Shelf for any lease or unit located in water depths of 200 meters or more on the outer Continental Shelf unless the Secretary determines that the lease sale will result in the development of a wind farm.

(b) FEDERAL LANDS.—Nothing in this Act shall preclude the Secretary from purchasing, leasing, or otherwise acquiring any Federal land or water bottom lands or submerged lands in an area designated as a wind farm by a State or the Federal Government.

SEC. 4. DEEPWATER DRILLING ROYALTY RELIEF.

(a) ROYALTY RELIEF.—Section 8(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)) is amended by adding at the end of the section—

"(c) ROYALTY RELIEF FOR DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is repealed."

(b) ROYALTY RELIEF FOR DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is amended by adding at the end of the section—

"(D) PROHIBITION.—Notwithstanding subparagraphs (A) through (C) or any other provision of law, the Secretary shall not reduce or eliminate any royalty or net profit share for any lease or unit located in water depths of 400 meters or more on the outer Continental Shelf."

(c) ROYALTY RELIEF.—Section 8(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)) is amended by adding at the end of the section—

"(D) PROHIBITION.—Notwithstanding subparagraphs (A) through (C) or any other provision of law, the Secretary shall not reduce or eliminate any royalty or net profit share for any lease or unit located in water depths of 400 meters or more on the outer Continental Shelf.".

(d) APPLICATION.—This section and the amendments made by this section—

(1) apply beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published as of that date; and

(2) do not apply to a lease in effect on the date of enactment of this Act.

SEC. 5. SUBMITTED RESOLUTIONS

SENATE RESOLUTION 567—TO ELECT DANIEL K. INOYUE, A SENATOR FROM THE STATE OF HAWAII, TO BE PRESIDENT PRO TEMPORE OF THE SENATE OF THE UNITED STATES

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

S. Res. 567
Resolved, That Daniel K. Inouye, a Senator from the State of Hawaii, be, and he is hereby, elected President of the Senate pro tempore.

SENATE RESOLUTION 568—NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

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

S. Res. 568
Resolved, That the House of Representatives be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

SENATE RESOLUTION 569—NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

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

S. Res. 569
Resolved, That the President of the United States be notified of the election of the Honorable Daniel K. Inouye as President of the Senate pro tempore.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SENATE RESOLUTION 571—CALLING FOR THE IMMEDIATE AND UNCONDITIONAL RELEASE OF ISRAELI SOLDIER GILAD SHALIT HELD CAPTIVE BY HAMAS, AND FOR OTHER PURPOSES

Thereas Congress previously expressed its concern for missing Israeli soldiers in the Act entitled “An Act to locate and secure the return of Zachary Baumel, a United States citizen, and other soldiers missing in action”, approved November 8, 1989 (Public Law 106–89; 113 Stat. 1305), which required the Secretary of State to raise the status of missing Israeli soldiers with appropriate government officials of Syria, Lebanon, the Palestinian Authority, and other government in the region, and to submit to Congress reports on those efforts and any subsequent discovery of relevant information;

Whereas the House of Representatives passed H. Res. 167 on March 13, 2007, regarding Gilad Shalit and other Israeli soldiers illegally attacked and captured by terrorists; and

Whereas Israel completed its withdrawal from Gaza on September 12, 2005;

Whereas in August 2006, Hamas together with allied terrorists crossed into Israel to attack a military post, killing two soldiers and wounding and kidnapping Gilad Shalit in a blatant illegal and extortionate effort to coerce the Government of Israel;

Whereas Hamas has prevented access to Gilad Shalit by competent medical personnel and representatives of the International Committee of the Red Cross;

Whereas Hamas has refused to provide Gilad Shalit with regular contact with his family or any other party, or to allow his family to know where he is being held;

Whereas Hamas has compelled Gilad Shalit to appear in video and voice recordings intended to illegally and extortionately coerce the Government of Israel; and

Whereas Gilad Shalit has been held in captivity by Hamas for almost four years: Now, therefore, be it

Resolved, That the Senate—

(1) demands that—

(A) Hamas immediately and unconditionally release Israeli soldier Gilad Shalit; and

(B) Hamas—

(i) allow prompt access to the Israeli captives by competent medical personnel and representatives of the International Committee of the Red Cross;

(ii) facilitate communication by Gilad Shalit with his family and allow his family to know where he is being held; and

(iii) cease compelling Gilad Shalit to appear in video and voice recordings intended to illegally and extortionately coerce the Government of Israel;

(2) expresses—

(A) its vigorous support and unwavering commitment to the welfare, security, and survival of the State of Israel as a Jewish and democratic state within recognized boundaries; and

(B) its strong support and deep interest in achieving a resolution of the Israeli-Palestinian conflict through the creation of a democratic, viable, and independent Palestinian state living in peace alongside the State of Israel;

(3) recognizes—

(A) the illegal and barbaric attack on and kidnapping of August 17, 2006, of Ehud Goldwasser and Eldad Regev on July 12, 2006, by the Iran-supported terrorist group Hezbollah; and

(B) the missing Israeli soldiers Zacharya Baumel, Zvi Feldman, and Yehuda Katz, missing since June 11, 1982, Ron Arad, who was captured on October 16, 1986, Guy Hever, last seen on August 17, 1986, and Majdy Halabi, last seen on May 24, 2005; and

(4) condemns—

(A) Hamas for the grossly illegal and immoral cross border attack and kidnapping of Gilad Shalit; and

(B) the Governments of Iran and Syria, the primary state sponsors and patrons of the ongoing illegal and extortionate support for international terrorism.

SENATE RESOLUTION 572—RELATIVE TO THE DEATH OF THE HONORABLE ROBERT C. BYRD, A SENATOR FROM THE STATE OF WEST VIRGINIA

Mr. REID (for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURKETT, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBON, Mr. ENY, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. JOHNNY, Mr. KERRY, Ms. KLOBuchar, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Ms. LINDSAY, Mr. LUGAR, Mr. MCCAIN, Mrs. MCGAHHAN, Mr. MENENDEZ, Mr. MERRICK, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. Pryor, Mr. RYDER, Mr. RISCH, Mr. ROBERTS, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHEPHERD, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN)—the concurrent resolution which was considered and agreed to:

That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Robert C. Byrd, Senator from the State of West Virginia.

Resolved, That the Secretary of the Senate inform the appropriate House Committees of the Senate of the death of the Honorable Robert C. Byrd.

Resolved, That the Senate instructs the appropriate Senate Committees to transmit to the appropriate House Committees a measure to authorize the printing of the text of the resolution of the Senate in the Federal Register.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4398. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table.

SA 4399. Mr. CASEY (for Mr. L XHAG of himself and Mr. LEVIN) proposed an amendment to the concurrent resolution H. Con. Res. 286, recognizing the 250th birthday of the United States Army.

SA 4400. Mr. CASEY (for Mr. XHAG of himself and Mr. LEVIN) proposed an amendment to the concurrent resolution H. Con. Res. 286, supra.

TEXT OF AMENDMENTS

SA 4398. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which
was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. ANNUAL REPORT ON AWARDING OF FEDERAL CONTRACTS TO CONTOURS LISTED ON THE EXCLUDED PARTIES LIST SYSTEM.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report describing during the previous year the extent to which suspended or debarred contractors on the Excluded Parties List System, including those suspended or debarred for failing to make full or timely payments to subcontractors:

(1) continued to receive Federal contracts; or

(2) were granted waivers from Federal agencies from suspension or debarment for purposes of entering into Federal contracts.

SA 4399. Mr. CASEY (for Mr. LEAHY (for himself and Mr. LEVIN)) proposed an amendment to the concurrent resolution H. Con. Res. 286, recognizing the 235th birthday of the United States Army; as follows:

Strike all after the resolving clause and insert in its place the following: That Congress—

(1) expresses its appreciation to the members of the United States Army for 235 years of dedicated service; and

(2) honors the valor, commitment, and sacrifice that members of the United States Army, their families, and Army civilians have displayed throughout the history of the Army;

SA 4400. Mr. CASEY (for Mr. LEAHY (for himself and Mr. LEVIN)) proposed an amendment to the concurrent resolution H. Con. Res. 286, recognizing the 235th birthday of the United States Army; as follows:

Strike the preamble and insert the following:

Whereas, on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army;

Whereas for the past 235 years, the United States Army’s central mission has been to fight and win wars;

Whereas the 18th Century streamers from Lexington to Saratoga carried on the Army flag are a testament to the valor, commitment, and sacrifice of the brave members of the United States Army;

Whereas members of the United States Army have won extraordinary distinction and respect for the Nation and its Army stemming from engagements around the globe;

Whereas in 2010, the United States will reflect on the contributions of members of the United States Army on the Korean peninsula in commemoration of the 60th anniversary of the Korean War;

Whereas the motto on the United States Army seal, “This We’ll Defend”, is the creed by which the members of the Army live and serve;

Whereas the United States Army is an all-volunteer fighting force, trained and ready for any adversary that might threaten our Nation or its national security interests; and

Whereas no matter what the cause, location, or nature of the future conflicts, the United States can rely on its well-trained, well-led, and highly motivated members of the United States Army to successfully carry out the missions entrusted to them: Now, therefore, be it

NOTICE OF HEARING

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a Business Meeting has been scheduled before the Committee on Energy and Natural Resources. The business meeting will be held on Wednesday, June 30, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the Business Meeting is to consider S. 3516, a bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 28, 2010, at 12:30 p.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing on the nomination of Elena Kagan to be an Associate Justice of the Supreme Court of the United States.

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

ISRAEL’S UNDENIABLE RIGHT TO SELF-DEFENSE

On Thursday, June 24, 2010, the Senate agreed to S. Res. 548, as amended, with its preamble, as amended, as follows:

S. Res. 548

Whereas the State of Israel, since its founding in 1948, has been forced to stand and steadfast as the only true ally of the United States, standing alone in its commitment to democracy, individual liberty, and free-market principles in the Middle East, a region characterized by instability and violence;

Whereas the special bond between the United States and Israel, forged through shared values and mutual interests, must never be broken;

Whereas Israel has an undeniable right to defend itself against any threat to its security, whether from foes near or afar;

Whereas Hamas is a terrorist group, formally designated as a Foreign Terrorist Organization by the Secretary of State, and similarly designated by the European Union;

Whereas Hamas is committed to the annihilation of Israel and opposes the peaceful resolution of the Israeli–Palestinian conflict;

Whereas Hamas has control of the Gaza Strip in 2007 through violent means and has maintained control ever since;

Whereas Hamas routinely violates the human rights of the Palestinian people, including attempting to control and intimidate political rivals through extra-judicial killing, torture, severe beatings, maiming, and arbitrary detentions;

Whereas Hamas continues to hold prisoner Israeli Staff Sergeant Gilad Shalit, who was seized on Israeli soil and has been denied basic rights, including contact with the International Red Cross;

Whereas the military build-up of Hamas has been enabled by the arming of allies and other materiel into Gaza;

Whereas the Government of Iran has materially aided and supported Hamas by providing extensive funding, weapons, and training;

Whereas since 2001, Hamas and other Palestinian terrorist organizations have fired more than 10,000 rockets and mortars from Gaza into Israel, killing at least 18 Israelis and wounding dozens more;

Whereas approximately 880,000 Israeli civilians, more than 12 percent of Israel’s population, reside within range of rockets fired from Gaza and live in fear of attacks;

Whereas in 2007, the Government of Israel, out of concern for the safety of its citizens, put in place a legitimate and justified blockade of Gaza, which has been effective in reducing the flow of weapons into Gaza and the firing of rockets from Gaza into southern Israel;

Whereas according to Michael Oren, the Israeli Ambassador to the United States, “If these lanes are open to Hamas, and they will acquire thousands of rockets that will threaten every single citizen in the state of Israel and also kill the peace process... Hamas armed with thousands of rockets not only threatens 7,500,000 Israelis but it’s the end of the peace process.”;

Whereas the Israeli blockade has hindered the transfer of approximately 1,000,000 tons of humanitarian supplies into Gaza over the last 18 months to aid its 1,500,000 residents;

Whereas, on May 28, 2010, the “Free Gaza” flotilla, which included the Mavi Marmara and 5 other ships, departed from a port in Turkey and sailed towards Israel’s defensive naval blockade of Gaza;

Whereas the sponsor of the flotilla was a Turkish organization, the Humanitarian Relief Foundation;

Whereas the Humanitarian Relief Foundation has aided al Qaeda in the past, “basically helping al Qaeda when [Osama] bin Laden started to want to target U.S. soil,” according to testimony before a French counterterrorism official, in a June 2, 2010, Associated Press interview;

Whereas the Humanitarian Relief Foundation has a clear link to the passengers on the Mavi Marmara, according to a 2008 order of the Government of Israel, and the Humanitarian Relief Foundation is a member of the Union for Good, a United States-designated terrorist organization created by Hamas leaders in 2000 to help fund Hamas;

Whereas there were at least 5 active terrorist operations aboard the passengers on the Mavi Marmara, with affiliations with terrorist groups such as al Qaeda and Hamas, according to the Israel Defense Forces;

Whereas the flotilla’s primary aim was to break the Israeli blockade of Gaza, under the guise of delivering humanitarian aid to the residents of Gaza;

Whereas, on May 27, 2010, while the flotilla was moving towards Gaza, one of its organizers admitted, “This mission is not about delivering humanitarian supplies, it’s about breaker the Israeli siege,” 500,000 Palestinians,” according to news reports;

Whereas based on interviews with Mavi Marmara passengers after the incident, the flotilla’s efforts were not only to break the Israeli blockade of Gaza, but also to have Israel’s siege, 500,000 Palestinians,” according to news reports;
Whereas Saleh Al-Azaa, a journalist who was aboard the ship, recounted that, “The moment the ship set sail, the cries of ‘Allahu Akbar’ began...” it made you feel as if you were in a classic conquistador role, according to an interview recorded on Al-Hiwar TV on June 4, 2010;

Whereas Hussein Orash, a Humanitarian Relief official, read from the diary of a dead Mavi Marmara passenger: “The last lines he wrote before the attack were: ‘Only a short time left before martyrdom. This is the most important aspect of my life. Nothing is more beautiful than martyrdom, except for one’s love for one’s mother. But what is sweeter—my mother or martyrdom.’...” and also stated, “All the passengers on board the ship were ready for this outcome. Everybody wanted and were going to be a martyr. Our goal was to reach Gaza or to die trying. All the ship’s passengers were ready for this. HHF was ready for this too.”, according to an interview recorded on Al-Jazeera TV on June 5, 2010;

Whereas Ali Haider Banjinin, another dead Mavi Marmara passenger, told his family before departing on the flotilla, “I am going to be a martyr, I dreamed about it,” according to news reports in Turkey;

Whereas Ali Ekber Yaratilmis, another dead Mavi Marmara passenger, “always wanted to become a Martyr,” one of his friends told Al-Hayat Al-Ajida newspaper in an interview on June 3, 2010;

Whereas one female passenger on the deck of the Mavi Marmara stated, “Right now we face one of two happy endings: either martyrdom, or reaching Gaza,” according to Al Jazeera footage taken prior to the incident; Whereas the Government of Israel had extended a reasonable offer to transfer the flotilla’s cargo to Gaza;

Whereas the Mavi Marmara and the other ships of the flotilla ignored repeated Israeli calls to turn around or be peacefully escorted to an Israeli port outside of Gaza;

Whereas, on May 31, 2010, the Israeli Navy intercepted the Mavi Marmara 75 miles west of Haifa, Israel, in an effort to maintain the integrity of the blockade and prevent potential smuggling of arms and other material into the hands of Hamas;

Whereas, upon the boarding of the Mavi Marmara by the Israeli Navy, the Mavi Marmara’s passengers brutally and violently attacked the members of the Israeli Navy with knives, clubs, pipes, and other weapons, injuring several of the soldiers;

Whereas the members of the Israeli Navy, under attack and in grave danger, reacted in self-defense and used lethal force against their attackers on the Mavi Marmara, shooting and killing 9 of them;

Whereas the incident has fomented unwarranted international criticism of Israel and its blockade of Gaza;

Whereas in the time since the attack, the United Nations has unjustly criticized the actions of the Government of Israel and called for an investigation of such actions; and Whereas the actions of the United Nations are undermining Israel’s inherent right to self-defense, compromising its sovereignty, and helping to legitimize Hamas: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) that Israel has an inherent and undeniable right to defend itself against any threat to the defense of its citizens;

(2) to reaffirm that the United States stands with Israel in pursuit of shared security goals, including the security of Israel;

(3) to condemn the violent attack and provocation by extremists aboard the Mavi Marmara, who created a highly destabilizing incident in a region that cannot afford further instability;

(4) to condemn any future such attempts to break the Israeli blockade of Gaza for the purpose of transporting in arms and supplies to confront or otherwise undermining the security of Israel;

(5) to condemn Hamas for its failure to recognize the right of Israel to exist, its human rights abuses against the residents of Gaza, and its continued rejection of a constructive path to peace for the Israeli and Palestinian people;

(6) to condemn the Government of Iran for its role, past and present, in directly supporting Hamas and undermining the security of Israel;

(7) to encourage the Government of Turkey to recognize the importance of continued strong relations with Israel and the necessity of closely scrutinizing organizations with potential ties to terrorist groups.

PREDISASTER HAZARD MITIGATION ACT OF 2010

Mr. CASEY. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 440, S. 3249.

The PRESIDING OFFICER. The legislative clerk read as follows:

The legislative clerk read as follows:

A bill (S. 3249) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended by adding at the end the following:

“(n) PROHIBITION ON EARMARKS.—

(1) IN GENERAL.—None of the funds appropriated or otherwise made available to carry out this section may be used for congressionally directed spending, as defined under rule XLIV of the Standing Rules of the Senate;

(2) REPORT TO CONGRESS.—If grants are awarded under this section using procedures other than competitive procedures, the Administrator of the Management and Budget Agency shall submit to Congress a report explaining why competitive procedures were not used.

Mr. CASEY. I ask unanimous consent that the committee-reported amendment be agreed to; the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate; and any statements related to the concurrent resolution be printed in the RECORD.

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

The amendment (No. 4499) was agreed to, as follows:

AMENDMENT NO. 4499

Strike all after the resolving clause and insert the following: ‘‘That Congress—

(1) expresses its appreciation to the members of the United States Army for 235 years of dedicated service; and

(2) honors the valor, commitment, and sacrifice that members of the United States Army, their families, and Army civilians have displayed throughout the history of the Army.’’

The resolution, as amended, was agreed to.

The amendment (No. 4400) was agreed to, as follows:

AMENDMENT NO. 4400

Strike the preamble and insert the following:

Whereas, on June 14, 1775, the Second Continental Congress, representing the citizens of 13 American colonies, authorized the establishment of the Continental Army; Whereas for the past 235 years, the United States Army’s central mission has been to fight and win wars; Whereas the 183 campaign streamers from Lexington to Iraqi Surge carried on the Army flag are a testament to the valor, commitment, and sacrifice of the brave members of the United States Army; Whereas members of the United States Army have won extraordinary distinction and respect for the Nation and its Army stemming from engagements around the globe;

Whereas in 2010, the United States will reflect on the contributions of members of the United States Army on the Korean peninsula in commemoration of the 60th anniversary of the Korean War;

Whereas the motto on the United States Army seal, “This We’ll Defend,” is the creed by which the members of the Army live and serve;

Whereas the United States Army is an all-volunteer force that is trained and ready for any adversary that might threaten our Nation’s national security interests; and

Whereas no matter what the cause, location, or magnitude of future conflicts, the
United States can rely on its well-trained, well-led, and highly motivated members of the United States Army to successfully carry out the missions entrusted to them: Now, therefore, be it

The preamble, as amended, was agreed to.

AMMONIUM NITRATE FERTILIZER

Mr. CASEY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 570, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk reads as follows:

A resolution (S. Res. 570) calling for continued support for and an increased effort by the Governments of Pakistan, Afghanistan, and other Central Asian countries to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent the transport of ammonium nitrate into Afghanistan and the use of ammonium nitrate is used in improvised explosive devices.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASEY. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 570) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 570

Whereas it is illegal to manufacture, own, or use ammonium nitrate fertilizer in Afghanistan since a ban was instituted by Afghan President Hamid Karzai in January 2010;

Whereas ammonium nitrate fertilizer has historically been and continues to be of the primary explosive ingredients used in improvised explosive devices (referred to in this preamble as “IEDs”) by Taliban insurgents in Afghanistan against the United States and coalition forces;

Whereas 275 United States troops were killed by IEDs in Afghanistan in 2009;

Whereas large amounts of ammonium nitrate are shipped into Afghanistan from Pakistan, Iran, and other Central Asian countries;

Whereas the Government of Pakistan has indicated a willingness to work collaboratively with the Governments of the United States and Afghanistan to address the regulation and interdiction of ammonium nitrate fertilizer and other IED precursors; and

Whereas the United States government currently provides assistance to Pakistan for agricultural development and capacity building; Now, therefore, be it

Resolved, That the Senate—

(A) to continue to diplomatically engage with the Governments of Pakistan, Afghanistan, and other Central Asian countries to address the proliferation and transportation of ammonium nitrate and other improvised explosive device (“IED”) precursors in the region; and

(B) to work with the World Customs Organization and other international bodies, the Secretary of State determines to be appropriate, on initiatives to improve controls globally on IED components; and

(C) urges the Secretary of State to work with the Governments of Pakistan, Afghanistan, and other Central Asian countries to encourage and support improvements in infrastructure and border crossings to prevent the flow of ammonium nitrate and other IED precursors or components into the region.

RELEASE OF GILAD SHALIT

Mr. CASEY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 571, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk reads as follows:

A resolution (S. Res. 571) calling for the immediate and unconditional release of Israeli soldier Gilad Shalit held captive by Hamas, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASEY. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 571) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 571

Whereas Congress previously expressed its concern for missing Israeli soldiers in the Act entitled “An Act to locate and secure the return of Zachary Baumel, a United States citizen, and other soldiers missing in action”, approved November 8, 1999 (Public Law 106–88; 113 Stat. 1305), which required the Secretary of State to raise the status of missing Israeli soldiers with appropriate government officials of Syria, Lebanon, the Palestinian Authority, and other governments in the region to Congress reports on those efforts and any subsequent discovery of relevant information;

Whereas the House of Representatives passed H. Res. 107 on March 13, 2007, regarding Gilad Shalit and other Israeli soldiers illegally attacked and captured by terrorists;

Whereas Israel completed its withdrawal from Gaza on September 12, 2005;

Whereas, on June 25, 2006, Ron Arad, who was captured on October 12, 1986, Guy Reuler, last seen on August 17, 1997, and Majdy Halabi, last seen on May 24, 2005; and

Whereas Gilad Shalit has been held in captivity by Hamas for almost four years: Now, therefore, be it

Resolved, That the Senate—

(I) demands that—

(A) Hamas immediately and unconditionally release Israeli soldier Gilad Shalit; and

(B) Hamas allow prompt access to the Israeli captives by competent medical personnel and representatives of the International Committee of the Red Cross;

II) expresses—

(A) its vigorous support and unwavering commitment to the welfare, security, and survival of the State of Israel as a Jewish and democratic state within recognized and secure borders; and

(B) its strong support and deep interest in achieving a resolution of the Israeli–Palestinian conflict through the creation of a democratic, viable, and independent Palestinian state living in peace alongside of the State of Israel;

(C) its ongoing concern and sympathy for the family of Gilad Shalit; and

(D) its full commitment to continue to seek the immediate and unconditional release of Gilad Shalit and other missing Israeli soldiers;

(3) recalls—

(A) the illegal and barbaric attack on and kidnapping of the bodies of Ehud Goldwasser and Eldad Regev on July 12, 2006, by the Iran-supported terrorist group Hezbollah; and

(B) the missing Israeli soldiers Zacharya Baumel, Zvi Feldman, and Yehuda Katz, missing since June 11, 1982, Ron Arad, who was captured on October 12, 1986, Guy Reuler, last seen on August 17, 1997, and Majdy Halabi, last seen on July 16, 2005; and

(4) condemns—

(A) Hamas for the grossly illegal and immoral cross border attack and kidnapping of Gilad Shalit; and

(B) the Governments of Iran and Syria, the primary state sponsors and patrons of Hamas, for their ongoing support for international terrorism.

Mr. CASEY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CHINESE CURRENCY MANIPULATION

Mr. BROWN of Ohio. Madam President, over the last few days, we have watched President Obama’s Cabinet Members and leaders of the G20 nations in Toronto for an economic summit.
Our trade relationship with China has been one of the most important among many issues the world’s leaders have addressed.

We know Ohio’s workers and manufacturers can compete with anyone in the world, but China is encouraging unfair competitive disadvantage to our workers and our manufacturers.

While last week’s announcement that China will allow a gradual appreciation of the value of the yuan by up to 40 percent—some economists say even more than that. That means China has a distinct advantage for its exporters and puts our exporters at a distinct disadvantage when they try to get into the Chinese market. That is why we asked the Commerce Department to make a decision to investigate China’s currency manipulation on behalf of paper manufacturers in Ohio and several other States. These companies and their workers in West Carlton, OH, and in Miamisburg, OH, are holding on for their lives, and like manufacturers and workers around the United States, they understand why our trade law’s enforcement and remedies are so vital. They know firsthand why our trade laws must combat currency manipulation.

If we fail to act, China’s currency manipulation will continue to contribute to our country’s staggering trade deficit with China. Our trade deficit with China in the last 3 years, particularly in our Oil Country Tubular Goods manufacturing, is the situation, approached $1 billion a day. That means we bought from China $1 billion more than we sold to them, day-in and day-out, 365 days a year.

Senators GRAHAM, SCHUMER, STRABELOW, and I are calling for a vote on our legislation that addresses this blatant currency manipulation to ensure that we take action on Chinese imports until the yuan rises to its fair market value.

It is clear that our manufacturers are backed into a corner. It is also clear that it did not have to be this way. Ten years ago this summer, Congress passed permanent normal trade relations with China as our Nation entered the 21st century facing great economic opportunities and confronting gathering national security threats. You remember 10 years ago we had a balanced budget, until the Bush years with tax cuts for the rich, the giveaway for the drug and insurance companies in the name of privitization, and two wars, all of which were charged to our grandchildren, none of which were paid for. We had an economic situation where we were beginning to lose manufacturing jobs.

I remember those days, serving in the House, and recall that every Member of Congress—literally probably every single Member of Congress—was told, even those who later voted against this PNTR with China—we were told repeatedly in newspaper ads and editorials, told in hundreds of individual visits by CEOs of Americas largest companies—they walked into our office and said: We want access to 1.2 billion Chinese consumers. Really, they didn’t; they wanted access to 1.2 billion Chinese workers.

Free-trade advocates in Washington and Wall Street and nearly every editorial board lauded the economic opportunities yet to come from U.S. workers and businesses. These pundits, these CEOs, these Ivy League economists, these newspaper editors heralded passage of PNTR with China as the best way to promote reform and counter to our terrible financial situation, that we hesitated for a minute calling those of us who opposed the PNTR protectionists, saying that we have our heads in the sand, we are backward-looking Luddites and whatever adjective they could use. Today, 10 years later, those opponents have been shown dreadfully wrong. The problem is that those people who pushed PNTR—the CEOs, the Harvard economist, the newspaper editors—few of them have lost their jobs.

They have lost jobs in Galion, OH, and Zanesville and Toledo and Mansfield and Chillicothe who have paid the price because of that terrible decision to extend those trade preferences to the People’s Republic of China.

Since receiving PNTR status and the benefits of membership in the World Trade Organization, the WTO, China has taken money from American consumers and investors without fully opening its markets to American businesses and workers. We have record trade deficits. The results are millions of jobs lost. Three million manufacturing jobs have been lost in the last several years—not all because of China trade but a significant number.

Chinese workers continue to face low wages and substandard labor conditions. This has not worked particularly well for Chinese workers. It has not worked well for American workers. It has worked well for those American companies that outsourced their jobs, hired Chinese workers at very low wages, with very few environmental or worker safety safeguards, and then exported those goods back into the United States.

It is clear that our manufacturers are backed into a corner. It is also clear that it did not have to be this way. Ten years ago this summer, Congress passed permanent normal trade relations with China as our Nation entered the 21st century facing great economic opportunities and confronting gathering national security threats. You remember 10 years ago we had a balanced budget, until the Bush years with tax cuts for the rich, the giveaway for the drug and insurance companies in the name of privitization, and two wars, all of which were charged to our grandchildren, none of which were paid for. We had an economic situation
China” policies, without signing onto the WTO agreement on procurement. They promised in 2000, with the passage of PNTR, they promised they would join the agreement on procurement, which meant fair play on contracts and among manufacturers. Yet China has not only refused to sign on, they also had a strong “Buy China” arrangement in their economy, what would have violated WTO rules. Yet several major opinion leaders—Ivy Leaguer, newspaper editors, and too many elected officials—pushed back and said we should not do “Buy American” in this country.

China’s so-called “indigenous innovation” policies provide preferences to products containing Chinese-developed intellectual property for government procurement purposes. That is why I encourage the Obama administration to launch a section 301 case against the China’s provisions of policies that limit market access to U.S. companies in the clean energy sector.

If China leads the clean energy revolution, we will trade dependence on foreign oil with dependence on Chinese or foreign clean energy technologies. With the right investments and with strong trade enforcement, we can make sure that does not happen.

Consider, as you know in Oregon, what the top ten solar panel makers in the world are from China. But the No. 1 is First Solar, a U.S. company which has factories around the world that can produce as much energy as any coal or nuclear plant. Of course, much cleaner and more efficient.

One of First Solar’s factories is in Perrysburg, OH, and the entrepreneurs behind the company’s success started at the University of Toledo. If we want to keep First Solar at the top in the world, and if we want our entrepreneurs to continue to lead the world in innovation, they should have access to all of the world’s markets. That is why I ask my colleagues to consider the United States to lead the crusade for vigorous trade enforcement.

Just the launch of a 301 case by this administration will show China we are serious about competing in this emerging market. We cannot enter the next decade of the 21st century further behind, facing the same hurdles that faced our Nation just 10 years ago.

As the G20 summit convenes this weekend and beyond, we must take the buy American or those who supported China PNTR and make sure we begin the next decade with a rules-based trading system that works for American workers and works for American manufacturers.

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

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded.

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

RELATIVE TO THE DEATH OF ROBERT C. BYRD, A SENATOR FROM THE STATE OF WEST VIRGINIA

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 572, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 572) relative to the death of the Honorable Robert C. Byrd, a Senator from the State of West Virginia.

There being no objection, the Senate proceeded to consider the resolution.

REMEMBERING SENATOR ROBERT C. BYRD

Mr. INOUYE. Mr. President, my heart is heavy with sadness following the passing of a dear friend, Robert C. Byrd, Senator from West Virginia.

We have been friends for nearly 50 years and I am overcome with memories. Senator Byrd was one of the first to greet me in the Chamber of the U.S. Senate.

Since that first moment of friendship we have worked together on many projects. And since those early days, I have called him my mentor.

He was my mentor. Over the years he provided me countless opportunities and tasked me with positions of critical national oversight while guiding my actions with the temperament he learned as the longest serving Senator in history.

He was a Senator’s Senator. His many accomplishments were historic and he fought tirelessly to improve the lives of working families in West Virginia. We shared the belief that we must provide for the people who trust us to represent their communities in Washington.

I owe much to my leader, Senator Byrd. He will forever have my gratitude and respect and I will miss him dearly. My thoughts and prayers are with the Byrd family during this difficult time.

Mr. President, as America mourns, I ask my colleagues to join me in paying tribute to Senator Byrd.

Mrs. BOXER. Mr. President, I know several colleagues have come to the floor today to note the passing of a giant among us, Robert Byrd. I want to take a moment here to speak straight from the heart about Robert Byrd and my experience working with him. As we look at his desk with the flowers there, we of course think back to not too long ago when we lost another giant, Ted Kennedy. I think what distinguished these two from others is their unbelievable, undying commitment to what they represented and to this country.

I think, when all is said and done, that is what it is about. It is not about how long you serve. Of course, in the case of both Senator Kennedy and Senator Byrd, it was so long. Senator Byrd made history as the longest serving Senator, and that should be duly noted. But it is well beyond that. It is about this fierce “fight for your people” that they both had.

When I came to the Senate, of course Robert C. Byrd was a legend for sure. He always met with the incoming Senators, to give them the rules of the Senate, and to explain how to conduct yourself when you were in the chair, about the dignity of the Senate, and most of all about reverence for the Constitution. As many know and many saw, the image I will always have of Robert C. Byrd is of him reaching inside his suit pocket and bringing out the Constitution—which, along with the Bible, was what he cherished most. He taught us that everything we do here comes from the Founders, and he taught us to love and respect the Constitution and he did it in a way that was truly inspiring.

I can tell you, coming from the largest State in the Union, we have our share of problems. We have floods and fires and droughts, we have pests in our agriculture that threaten the livelihood of those who produce our food. We have discovered that the ground that is needed to grow food, the water. We have fishermen who need the water. We have farmers who need the water. All the stakeholders have very difficult debates over water.

Senator Feinstein and I again have teamed up on this and we have always had a willing listener in Robert C. Byrd, who understood and helped us get the stakeholders to the table to figure ways to preserve, to conserve, and increase the supply in a smart way for all those stakeholders.

These things are very big to the people of California, who probably have not connected Robert Byrd to California. But in all of these cases where we were so in need, he was there for us. I remember so well his leadership in trying to bring the troops home from Iraq. Twenty-three of us stood up and said no to that war because he thought it meant taking our eye off Osama bin Laden and what was happening in Afghanistan and turning around and going into Iraq. We worried very much

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about what would happen with our troops and that it would be a very long war and there was no exit strategy.

Senator BYRD organized us and he opened his office here in the Capitol and said we need to talk about ways that we can bring this war to an end. We need to organize and we need to talk about what is happening to our troops. He cared so much. For me, to have been in his presence and to watch him work has been an amazing experience. So I rise to pay tribute to him.

He was so many wonderful family members who care so much about him. When he lost his wife, it took a huge toll on Robert Byrd, and you saw it in his face. A light went out inside. His grandchildren and children stepped up, but that hole in his heart was there. It was evident to all of us. He stayed here through thick and thin, came in—wheelied in, in a wheelchair, fading, suffering, to be in this place that he loved so much, so much; that he respected so much.

I say, and I know, there is not a Member on either side of the aisle who did not respect Robert C. Byrd for his brilliance, for his strength, for his fierce representation of his State and, by that, for the extraordinary bravery, coming up the way he did. Talk about the American dream—a child of dire poverty, close to the mines. He always fought for those miners. What a legacy he leaves.

I don’t have any notes in front of me. I am speaking from the heart today. I will have a more complete statement, but I did want to make my views known today and send my condolences to the family. It is a great loss for everyone.

Mr. CARDIN. Mr. President, I rise with a heavy heart to pay tribute to our friend and colleague who died early this morning, Senator Robert C. Byrd, the longest serving Member in the history of the U.S. Senate, the longest serving Senator, and the only Senator in U.S. history elected to nine full terms. Considering that Senator Byrd won his first election, to the West Virginia House of Delegates, in 1946, it may be that he was the longest serving elected official in history. His passing is a profound loss to all Americans, to his beloved constituents in West Virginia, and particularly to the institution of the U.S. Senate and those of us who serve here. The Senate had no greater champion than Robert Byrd, no one with his understanding of the Senate’s unique character, role, promise, history, and parliamentary procedures.

When Robert Byrd was elected to the Senate in 1958, after serving in the House for 6 years, he was part of a large, distinguished class that included such future giants as Hugh Scott, Gene McCarthy, Edmund Muskie, and Philip Hart. He surpassed them all.

According to the Senate Historical Office, Robert Byrd was the 1.579th person to become a U.S. Senator. Since he was elected to the Senate, another 335 individuals have become U.S. Senators. All in all, Robert Byrd served with over 400 other Senators. And I am certain that each one of them held their colleague, as I do, in the highest esteem.

Senator Byrd’s modest beginnings in the hard-scrabble coal fields of Appalachia are well known. After his mother died during the 1918 flu pandemic, Senator Byrd went to live with an aunt and uncle who adopted him and raised him as their own. He never had running water or electricity. He pumped gas and butchered hogs. During World War II, he was a welder and built cargo ships in Baltimore and Tampa Bay. After the war, he successfully ran for the West Virginia House of Delegates and, 4 years later, the State’s senate, before entering Congress in 1953. All in all, he ran for and was elected to office 15 times—not counting primaries—without suffering a single defeat. Suffice it to say that his life is the quintessential success story. I think every young American should learn about Senator Byrd’s life as an example of what hard work and persistence and devotion can accomplish in this country. He understood better than anyone the importance of being educated, not just for embarking on a successful career, but as an end to itself. He was well-read and could recite from memory long passages from the Bible, and from great poets and authors. He was, just not just of the Founding Fathers and the U.S. Senate, but of ancient Greece and Rome and England.

Senator Byrd married his high school sweetheart, Erma Ora James, shortly after they both graduated from Mark Twain High School—where he was valedictorian—in 1937. He was too poor to afford college right away and wouldn’t receive his degree from Marshall University until 60 years later—when he did something no other Member of Congress has ever done: he enrolled in law school—at American University—and in 10 years of part-time study while serving as a Member of Congress, he completed his law degree, which President John Kennedy presented to him. Senator Byrd was married to his beloved Erma for nearly 69 years, and was blessed with two daughters, six grandchildren, and seven great-grandchildren.

During his Senate tenure, Robert Byrd was elected to more leadership positions than any other Senator in history, including majority and minority leader, whip, and President pro tempore. He cast 18,689 rollcall votes. Only 29 other Senators in the history of the Republic have cast more than 10,000 votes; Strom Thurmond is the only other Senator to cast more than 16,000 votes. Senator Byrd’s attendance record over five decades—97 percent—is as impressive as the sheer number of votes he cast.

Senator Byrd’s legislative accomplishments, from economic development and transportation to education and health care, are legendary. He steered the Panama Canal Treaty through the Senate and waged a lonely battle against the war in Iraq, leading an unsuccessful filibuster against the defense of George W. Bush broad power to wage a preemptive war against Iraq. He claimed that his vote against the Iraq war resolution was the vote of which he was most proud for having cast over the course of his entire career. When U.S. military strikes on Iraq commenced on March 19, 2003, he stated:

Today I weep for my country. I have watched the events of recent months with a heavy heart. Never more is the image of America one of strong, yet benevolent peacekeeper. The image of America has changed. Around the globe, our friends mistrust us, our word is disputed, our intentions are questioned. Instead of reasoning with those with whom we disagree, we demand obedience or threaten retribution.

Senator Byrd was unabashedly determined to use his power as a Senator and as the chairman and ranking member of the Appropriations Committee to help lift his State out of grinding poverty. And he delivered for his constituents. It is no surprise, then, that he won 100 percent of the vote of West Virginians in one election—1976—or frequently carried all 55 of West Virginia’s counties. And while he fervently supported the coal industry, he recognized the devastating environmental and social impact of mountain top removal mining, and he called for an end to that practice.

In the meantime, he wrote five books, including the definitive history of the U.S. Senate.

Perhaps his highest tribute to Senator Byrd can be found in his biographical section of the Almanac of American Politics, which states: “Robert Byrd . . . may come closest to the kind of senator the founding Fathers had in mind than any other.” His story, as the U.S. Senator from the Constitution has served as an inspiration, a lesson, and a guiding light to all of us who have been privileged to follow him in this Chamber.

In the last 10 months, we have lost two towering figures here in the Senate: Ted Kennedy and Robert Byrd—one of the Senate’s greatest legislators and without doubt its greatest defender. Former Senator Paul Sarbanes, whose seat I am privileged to hold, remember that Byrd never served under any President, but was honored to serve with many Presidents. We can honor these twin giants by carrying on their legacies, by fighting to make America a better place for all Americans, and by defending the Senate’s role as a coequal, not subservient, branch of government.

When Senator Byrd became the longest serving Member of Congress last November, I quoted Robert E. Lee in my floor statement. Lee said:

Duty is the most sublime word in our language. Do your duty in all things.
MEASURE READ THE FIRST TIME—H.R. 5175

Mr. BROWN of Ohio. I understand that H.R. 5175 has been received from the House and is at the desk. I would ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (H.R. 5175) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures in such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

Mr. BROWN of Ohio. Mr. President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR TUESDAY, JUNE 29, 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the resolution (S. Res. 572) be agreed to, the preamble be agreed to, the resolution, with its preamble, reads as follows:

WHEREAS, the Honorable Robert C. Byrd served the people of his beloved state of West Virginia for over 63 years, serving in the West Virginia House of Delegates, the West Virginia Senate, the United States House of Representatives, and the United States Senate;

WHEREAS, the Honorable Robert C. Byrd is the only West Virginiaian to have served in both houses of the West Virginia Legislature and in both houses of the United States Congress;

WHEREAS, the Honorable Robert C. Byrd has served for fifty-one years in the United States Senate and is the longest serving Senator in history, having been elected to nine full terms;

WHEREAS, the Honorable Robert C. Byrd has cast more than 18,680 rollcall votes—more than any other Senator in American history;

WHEREAS, the Honorable Robert C. Byrd has served in the Senate leadership as President pro tempore, Majority Leader, Majority Whip, Minority Leader, and Secretary of the Majority Conference;

WHEREAS, the Honorable Robert C. Byrd has served on a Senate committee, the committee on Appropriations, which he has chaired during five Congresses, longer than any other Senator; and

WHEREAS, the Honorable Robert C. Byrd is the first Senator to have authored a comprehensive history of the United States Senate;

WHEREAS, the Honorable Robert C. Byrd has played an essential role in the development and enactment of an enormous body of national legislative initiatives and policy over many decades; Whereas his death has deprived his State and Nation of an outstanding lawmaker and public servant: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Robert C. Byrd, Senator from the State of West Virginia.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned to meet at 9 a.m. on the first Monday next in commemoration of the death of the Honorable Robert C. Byrd, Senator from the State of West Virginia.

Adjournment until 10 a.m. tomorrow.

Mr. BROWN of Ohio. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 572 as a further mark of respect to the memory of Senator Robert C. Byrd.

There being no objection, the Senate, at 7:13 p.m., adjourned until Tuesday, June 29, 2010, at 10 a.m.
FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FORTH, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

DEPARTMENT OF COMMERCE

BEAVER R. BYRES, OF ALASKA
KENTON D. GOWDY, OF MONTANA
ALIZA L. TOTAYO, OF MARYLAND

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE AND SELECTED DIPLOMATS IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

DEPARTMENT OF COMMERCE

NICOLE DESVLYLS, OF PENNSYLVANIA
JEFFREY W. HAMILTON, OF HAWAII

DEPARTMENT OF STATE

MASTIN AGUILAR, OF VIRGINIA
JOEL D. ALLEY, OF OREGON
MATTHEW R. ANDRIS, OF NEW HAMPSHIRE
TODD A. ARMSH, OF MONTANA
JEFFREY MICHAEL AUSTIN, OF FLORIDA
SCOTT T. BAERST, OF THE DISTRICT OF COLUMBIA
BRENDON BAIRD, OF VIRGINIA
JENNIFER ALAYNE BARR, OF FLORIDA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE AND SELECTED DIPLOMATS IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

DEPARTMENT OF STATE

JONATHAN KERNS MCKNIGHT, OF VIRGINIA
JOHN ANDERSON MCCARY, OF MARYLAND
NATHANAEL M. LYNN, OF THE DISTRICT OF COLUMBIA
JACQUELINE K. LOPOUR, OF VIRGINIA
JOSEPH KUO LIN, OF NEW YORK
MARK ROBERT LAINE, OF VIRGINIA
ROBYN A. KIRKHAM, OF UTAH
CAROL S. KIM, OF VIRGINIA
TERESA L. KENDRICK, OF VIRGINIA
MATTHEW D. KAWECKI, OF MASSACHUSETTS
AARON JAMES KADKHODAI, OF FLORIDA
SAMANTHA ANN JENKINS, OF WASHINGTON
KURT HOLMGREN, OF VIRGINIA
PAUL MICHAEL HANNA, OF FLORIDA
MICHAEL L. GUNZBURGER, OF CALIFORNIA
IVNA GIAUQUE, OF VIRGINIA
EVANGELINE A. GESKOS, OF VIRGINIA
BRENDA B. GABRIEL, OF VIRGINIA
MAIDA A. FURNIA, OF OREGON
JACLYN M. FICHERA, OF VIRGINIA
MICHAEL A. ERVIN, OF WASHINGTON
LINDSAY MARIE EINSTEIN, OF THE DISTRICT OF COLUMBIA
EMILY BOND DUNIVANT, OF TENNESSEE
PATRICIA M. DEPALMA, OF CONNECTICUT
HEATHER L. DAIGLE, OF ILLINOIS
REID MILLER CREEDON, OF MICHIGAN
TRODISS J. CORA, OF VIRGINIA
BRIAN M. COMMAROTO-ROVERINI, OF NEW YORK
ACACIA ZORANA CLARK, OF CALIFORNIA
CHRISTOPHER MICHAEL CHAISSON, OF VIRGINIA
MICHAEL CAVEY, OF WISCONSIN
ZSOFIA BUDAI, OF MINNESOTA
CHRISTOPHER D. BOOTH, OF VIRGINIA
JENNIFER ALAYNE BARR, OF FLORIDA
SCOTT T. BAERST, OF THE DISTRICT OF COLUMBIA
MATTHEW R. ANDRIS, OF NEW HAMPSHIRE
JOEL D. ALLEY, OF OREGON
MARTIN AGUILAR, OF VIRGINIA
JEFFREY W. HAMILTON, OF HAWAII
NICOLE DESVLYLS, OF PENNSYLVANIA
JASON J. JACOBSON, OF OHIO
BRIGHID J. HIGGINS, OF IOWA
BRIAN T. SORENSON, OF VIRGINIA
SAUNDRA M. SNIDER-PUGH, OF VIRGINIA
BRIAN M. SKLAR, OF MARYLAND
JASON SHOW, OF TEXAS
ALEXANDER DP SHARP, OF KANSAS
NILESH KANTILAL SHAH, OF CALIFORNIA
DEMARK F. SCHULZE, OF OHIO
TINA B. SCHULZ, OF PENNSYLVANIA
MICHELE ROULBET, OF ILLINOIS
MICHAEL J. ROSENBERG, OF NEW JERSEY
BRIAN L. ROSEN, OF NEW JERSEY
CHRISTOPHER DENTON ROMANS, OF ILLINOIS
JESSICA ROHN, OF VIRGINIA
BENJAMIN O. ROGUS, OF CALIFORNIA
JASON CORCORAN ROBERTS, OF VIRGINIA
SCOTT M. RIDER, OF MARYLAND
JONATHAN POSNER, OF CALIFORNIA
WESLEY A. PHILBECK, OF MARYLAND
SCOTT R. PETERSON, OF VIRGINIA
RICHARD ANDREW O'NEAL, OF GEORGIA
MARTIN N. OBERMUELLER, OF NEBRASKA
JENNIFER K. NILSON, OF WISCONSIN
MARTIN N. OBERMUELLER, OF NEBRASKA
RICHARD ANDREW O'NEAL, OF GEORGIA
MELISSA S. O SHAUGHNESSY, OF PENNSYLVANIA
MARCIA Y. OUTLAW, OF ARIZONA
AARON THOMAS PATE, OF VIRGINIA
SCOTT R. PETERSON, OF VIRGINIA
WESLEY A. PRIEBRE, OF MARYLAND
KIRS K. POSTMANN, OF WASHINGTON
JONATHAN PONOS, OF CALIFORNIA
ADRIAN FRATTI, OF FLORIDA
SARAH R. RATHKEV, OF CALIFORNIA
KATHERINE HEDDY, OF NEW YORK
RITA RICO, OF CALIFORNIA
SCOTT M. RIDER, OF MARYLAND
JASON COOCERAN ROBERTS, OF VIRGINIA
JENNIFER K. NILSON, OF WISCONSIN
JESSICA ROHN, OF VIRGINIA
KATHRINE HEDDY, OF NEW YORK
BRIAN L. ROSEN, OF NEW JERSEY
MURIEL J. ROSENBERG, OF NEW JERSEY
MICHÈLE ROUSH, OF ILLINOIS
ALAS B. ROUST, OF FLORIDA
SARAH M. ROUSH, OF ILLINOIS
NILLS R. KANTILAL, SHAR, OF CALIFORNIA
ALEXANDRE DE SHARF, OF KANSAS
KATHY S. ROUSE, OF TEXAS
BRIAN M. SKLAR, OF MARYLAND
COOPER J. SHER, OF PENNSYLVANIA
HARRY CHARLES SMITH, OF THE DISTRICT OF COLUMBIA
SANDRA M. SIEBURG, OF PENNSYLVANIA
BRIAN M. SKLAR, OF MARYLAND
TINA B. SCHULZ, OF PENNSYLVANIA
EMILY BOND DUNIVANT, OF TENNESSEE
LIN J. HUGHES, OF IOWA
BRIG. GEN. SANFORD E. HOLMAN
COLONEL ROY V. QUALLS
COLONEL BRIAN G. NEAL
COLONEL BRADLEY S. LINK
COLONEL ARTHUR W. HYATT, JR.
COLONEL BRADLEY S. LINK
COLONEL DONALD L. MCCORMACK
COLONEL BRIAN G. NEAL
COLONEL ROY V. QUALLS
COLONEL MARSHALL W. SANDERS
COLONEL L. STEPHENS
COLONEL ALFRED J. STEPHENS
COLONEL KENDALL A. SCHWARTZ
COLONEL DANIEL C. VANWYK
BRIG. GEN. SANFORD R. HOLMAN
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be brigadier general
COLONEL DONALD A. ARHIS
COLONEL JAMES C. BALASERAK
COLONEL FRANK W. BARNES, JR.
COLONEL MARK E. HARTMAN
COLONEL ROBERT M. BRYANT
COLONEL RICHARD J. DENNIE
COLONEL RICHARD J. EVANS III
COLONEL LAWRENCE P. GALLOGLY
COLONEL MICHAEL D. HEPNER
COLONEL WORTH S. ROLT, JR.
COLONEL ARTHUR W. HYATT, JR.
COLONEL BRADLEY S. LINK
COLONEL DONALD L. MCCORMACK
COLONEL BRIAN G. NEAL
COLONEL ROY V. QUALLS
COLONEL MARSHALL W. SANDERS
COLONEL L. STEPHENS
COLONEL ALFRED J. STEPHENS
COLONEL KENDALL A. SCHWARTZ
COLONEL DANIEL C. VANWYK
THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES NAMED FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203 AND 12212:

To be brigadier general
COLONEL DONALD P. DUNBAR
IN THE ARMY

THE FOLLOWING NAMED FEMALE OFFICER IN THE UNITED STATES ARMED FORCES TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general
LT. COL. JENNIFER M. O'HEAR
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general
MAJ. GEN. WILLIAM J. TROY
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMED FORCES TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203 AND 12212:

To be major general
BRIG. GEN. SANFORD R. HOLMAN
THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE DEAN OF THE ACADEMIC BOARD, UNITED STATES MILITARY ACADEMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 415:

To be brigadier general
COL. TIMOTHY B. TRANDO
CONFIRMATION
Executive nomination confirmed by the Senate, Monday, June 28, 2010:

THE JUDICIARY

GARY SCOTT FRNERNER, OF ILLINOIS. TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on June 28, 2010 withdrawing from further Senate consideration the following nomination:

ARMY NOMINATIONS BEGINNING WITH CARDELL J. BERRY AND ENDING WITH ROBBY D. BROOKSMALL
HONORING RON GETTLEFINGER FOR HIS LEADERSHIP OF THE UAW

SPEECH OF
HON. BRAD SHERMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 23, 2010

Mr. SHERMAN. Mr. Speaker, today, many of us are honoring Mr. Ron Gettelfinger whose second term as president of the United Auto Workers (UAW) is coming to a close. I would like to add my thanks to Mr. Gettelfinger for his service to this important American institution.

Rising through the ranks from local UAW leadership to president, Mr. Gettelfinger has stood the test of time during the UAW during one of our nation’s most tumultuous economic periods. Mr. Gettelfinger first joined the UAW as a chassis line repairman in Louisville, Kentucky, and, over his 44 years with the organization, he has seen many changes in the American automotive industry.

Still now, as when it began, the United Auto Workers continues its nearly 80 year fight on behalf of this nation’s workers. The UAW seeks to ensure that all of America’s workers are rewarded for their contribution to our country’s economy and continue to live lives in dignity. I commend Mr. Gettelfinger for his contribution to the UAW’s important work.

REMEMBERING DIANNE WALLER-NYMAN

HON. DEBORAH L. HALVORSON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mrs. HALVORSON. Madam Speaker, today I rise to pay tribute to the life of Dianne Waller-Nyman. Dianne passed away on June 11th after a long bout with cancer. Dianne was a dedicated public servant, a longtime political activist, and a dear friend whom we will miss dearly.

Dianne was a pioneer in many of her endeavors. She was the first woman to serve as a Member of Congress today without first serving in the legislature or the Senate. Mrs. Waller-Nyman is survived by her loving husband, Dianne’s tireless efforts on my behalf. We often referred to Dianne as the “Sergeant Major” because we knew we could count on her to get the job done.

Dianne is survived by her loving husband, Arnie, three children—Ron Waller, Edie Fortner, and Diana Tomis—five grand-children—Nick, Matt, Phillip, Richie, and Kal. My thanks and prayers are with them in this time of loss. We share their sorrow, but we join them in honoring the remarkable life of Dianne Waller-Nyman.

ODE TO A FALLEN HERO: SERGEANT JOSHUA HARDT

HON. TOM MCCINTOCK
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. MCCINTOCK. Madam Speaker, I rise today to honor the memory of U.S. Army Sergeant Joshua Hardt of Applegate, California. Today, I read a poem, written in Sergeant Hardt’s memory, which serves as a testament to both his character and fidelity.

No one asked you to volunteer
You did it because you loved your country
More than pure piney woods,
More than sparkling, high mountain lakes
Or the sauntering, Sierra streams
The possibilities were endless
A police officer, a federal marshal, a wife and family
Perhaps a fishing guide, for the flatlanders
Who only dreamed of finding rainbows in the eddies
Instead, you answered the call of duty
Not for money, nor glory, nor fame
But because you wanted to make
A difference in the world
You traded your Carhartts
For Army green, gilded buttons, spit and shine
Your boyish smile
The twinkle in your eye
Betrayed who we really knew
Our jovial, jaunting, jolly
Your country called you
You answered the call
Like a far-away alarm,
In the foggy dream of yesterday
Fighting your way through Iraq
Returning quieter, somber and more patient
Knowing those things that only soldiers know
The sounds and horrors of war
Still, your passion for fishing and golf
Was unquenchable,
Displaying your catch and taunting: “Where’s last Troutzilla?”
Oh you scoundrel! You rogue!
How we envied your hole-in-one luck, your trout madness
And your contagious laughter

Filled our hearts, refreshing
Like a cold bottle of beer
On a hot summer’s day
Then Uncle Sam pinned those stripes on your sleeve
Sending you to a strange and foreign land
Where women and children were forced
To surrender their last vestige of freedom
There, in the frozen mountains
In those smoke filled hours
The tracers flying, rockets exploding
Amid the trees like a firestorm
You fought bravely
My courageous son,
Even as the world collapsed around you
You remained steadfast
To your men and your flag
You may stand down, Sergeant Hardt
Your tour is over.
Your mission completed,
We love you
God bless you
Farewell, our fallen hero.

HONORING THE CONTRIBUTIONS OF SANTO SCARPINITO AND LINDA SKIDMORE

HON. STEVE ISRAEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge Santo Scarpinito and Linda Skidmore, who are retiring from the Northport-East Northport School District this year. Together, Santo and Linda have contributed more than 65 years of service to the school district and have educated thousands of teachers and students in civic responsibility. They are both founding members of Project PATCH, which is a nationally recognized law and civic education program. Santo and Linda have shown creativity and passion throughout their years as teachers and are an integral force in educating the public about issues in constitutional law and professional development.

As they leave behind their formal roles in the Northport-East Northport School District, they will no doubt continue to educate those within their communities on the values that are so important to Americans.

I am proud to recognize Santo Scarpinito and Linda Skidmore for their invaluable contribution to education.

RECOGNIZING LYNN AZZOPARDI

HON. JACKIE SPEIER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Ms. SPEIER. Madam Speaker, I rise to honor Lynn Azzopardi for her work with the Millbrae Lions Club. She has been such a tireless volunteer for the past seven and one-half years that some may find it hard to believe that she also works full-time as the administrative assistant in the Kidney Transplant division
at Stanford University Medical Clinic in addition to being a busy mother and grandmother.

For the past year Lynn has served as president of the Lions Club where she led the acquisition of a vehicle outfitted to be a mobile kitchen and later used as a "first response" vehicle, not only for Millbrae, but for San Mateo County. Most notably she is the first woman to complete one year of service as president of the Millbrae Lions Club.

The list of projects that Lynn has been involved in is quite impressive. The Opportunity Scholarship Program focuses on students who need an extra boost to meet training and educational goals for future employment or study. The City of Hope Program funds cancer treatment and research. The Family Assistance Program helps families with a need for food, clothing and financial aid. She also chaired a pancake breakfast committee that raised money for schools and their students.

Lynn epitomizes the motto of the International Lions Club: We Serve! And therefore, Madam Speaker, I deem that is only fitting for her to extend its thanks to Lynn Azzopardi as she was honored in Millbrae on June 19, 2010 for completing her term as club president.

CONGRATULATING CHARLES CALLEROS

HON. HARRY E. MITCHELL
OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Charles Calleros on being honored by the State Bar of Arizona for his work in mentoring women and minorities. This award, the Committee on Minorities and Women in the Law Award, commends Mr. Calleros for his distinction and efforts on behalf of minorities and women in the legal field.

Mr. Calleros, a professor at the Sandra Day O'Connor College of Law located at Arizona State University, is deeply committed to promoting diversity in the legal field, both nationally and statewide. In 2005, he served as a member of the Minority Affairs Committee of the Law School Admissions Council, which strives to achieve diversity in law school applicants. In 2007, in collaboration with the Hispanic National Bar Association, Mr. Calleros started a mentoring program with the goal of reaching out to students before they graduate high school.

Calleros, who teaches Contracts, International Contracts, and Civil Rights Legislation, has been at ASU since 1981. In addition to his dedication to ASU, Mr. Calleros has been a visiting professor at Stanford Law School and at the University of Santa Clara. Each year, he also teaches a semester course in American Contract Law and International Law at the University of Paris.

Through all of these efforts, he strives to be a positive role model for Valley youth and students, to work to help them reach their full educational and leadership potential.

Madam Speaker, please join me in recognizing Charles Calleros for his valuable contributions to the Phoenix area.

TRIBUTE TO THE APPLEWHITE FAMILY ON THE OCCASION OF THEIR FAMILY REUNION

HON. G.K. BUTTERFIELD
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. BUTTERFIELD. Madam Speaker, I rise to recognize and honor the Applewhite family, which will soon be holding its reunion in my hometown of Wilson, North Carolina from July 2nd through July 5th.

The family reunion includes the descendants of Mr. and Mrs. Thomas and Dinah Horne Applewhite, who were born in 1880 and 1884, respectively. They lived in the area of Saratoga and Garner, North Carolina where they raised eight children—Walter, Lonnie, Lossie, Minnie, Almeta, Sherman, Mattie and Nettie.

While past reunions have been held individually by the Applewhite descendants, this will be the first reunion to include the entire family. More than 125 family members are expected to come together in Wilson, North Carolina from as far away as Arizona, Utah, California, New York, New Jersey, Virginia, Georgia, and Washington, D.C.

America is truly a nation of families. We take pride in our family and we value family life. Our families teach us the values of loyalty, independence, responsibility and mutual love.

Strong, stable families are our nation's greatest asset. But to remain strong, families must nurture and reinforce their bonds. Family reunions provide a wonderful opportunity to strengthen and preserve those family ties. It is a time to learn, laugh and renew the ties of affection.

Madam Speaker, I ask that my colleagues join me in congratulating the Applewhite family as generations gather for this special occasion. Let their celebration remind us of our own roots, and of the strength and importance of our own families. May their family reunion be a successful event full of happy memories they can pass along to future generations.

HONORING MARSHA TYSON

HON. BLAINE LUETKEMEYER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. LUETKEMEYER. Madam Speaker, I ask my colleagues to join me in congratulating Marsha Tyson for receiving the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST) on June 7th.

Ms. Tyson should be commended for her hard work and dedication to the students and community in her school district. The PAEMST is a prestigious award and we are proud that she is representing our great state of Missouri and the 9th District. Advancement in the fields of mathematics and science are integral to the development and competitiveness of America in the future. I am honored to congratulate Ms. Tyson on her outstanding achievement.

It is critical for the future of our country that students have access to a quality education. Without excellent teachers, our schools fail our students and communities. Ms. Tyson exemplifies what it means to be an excellent teacher and her dedication to her students and community is worthy of high praise.

I ask that you join me in recognizing Marsha Tyson for her excellence in the field of science education.

CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

SPEECH OF

HON. HENRY A. WAXMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 24, 2010

Mr. WAXMAN. Mr. Speaker. The world cannot tolerate a nuclear Iran.

With the punishing sanctions package before us today we take a major step to avoid that scenario by changing the calculus of Iran's leaders and those whose dealings with Iran contribute to its reckless policies. Most importantly, we do not stand alone in our efforts. Because of the initiative and leadership of President Obama, these sanctions will be applied within a much broader framework of multilateral sanctions approved by the United Nations Security Council and complementary sanctions efforts in Europe and Russia.

Although the goal may be straightforward, the Iran strategy at hand is a complex array of diplomatic, financial and political pressures.

The fact that we have arrived at a point where nations of the world are united to exact a price for Iran's illegal nuclear activities and its defiance of the international community should not be taken for granted. It was not inevitable. Rather, it is the direct result of dogged and unflagging diplomacy by this Administration to convince our allies and partners why and how Iran must be stopped.

The results so far are promising. Already the European Union has initiated plans to implement and augment the U.N. sanctions and the U.A.E.—one of Iran's biggest trading partners—has announced its intent to strictly enforce the U.N. sanctions. In addition, Russia has said that it will not deliver advanced S–300 surface-air-missile systems to Tehran, a development that would have significantly elevated the risks for any military action against Iran.

Today, we have before us the most comprehensive set of sanctions of all.

Among its key features, H.R. 2194 will impose severe restrictions on financial institutions doing business with Iranian banks controlled by Iran's Islamic Revolutionary Guard Corps (IRGC). Although these and many have long been walled off from the Iranian banking system, banks in Europe and elsewhere in the world that continue business as usual with Iran will now be swiftly and entirely cut off from access to capital in the United States. It presents a stark choice that stands to have a significantly chilling effect even before the sanctions are fully implemented.

The bill will also dramatically expand the depth and scope of sanctions targeting Iran's petroleum sector by placing sanctions on any insurance, financing and shipping companies involved in Iran's illegal oil exports and Iran or developing its domestic refining capacity.

In addition, the bill will facilitate divestment from companies that do business in Iran by imposing financial sector sanctions targeting Iran's economy.
expressing support for state and local governments that choose to divest public assets and by ensuring that divestment efforts by private asset managers are not considered a breach of fiduciary duty.

Finally, this bill prioritizes human rights in Iran by hindering the sale of Internet filtration and censorship technology to Iran and blocking companies engaging in such traffic from access to U.S. government procurement contracts. While I regret that the Iranian people, already victims of tyranny, could face economic repercussions as the result of these sanctions, I firmly believe that weakening the IRGC is essential to overcome the regime’s oppression.

I recognize that the window of opportunity could be limited. Iran now has partially enriched enough uranium to develop two nuclear warheads and its pursuit of nuclear weapons technology continues in earnest. But I urge my colleagues to vote yes and take serious action to pressure Iran to change course. And, once this bill is enacted, let us continue working with the President to make sure that these efforts proceed.

It is possible for a strong and coordinated sanctions regime to convince Iran to take the clear path that has been offered to end its status as a pariah state. At the very least, it is our best hope to bring about a successful diplomatic resolution of this crisis and avert the nuclear nightmare that a military strike would constitute. At the very least, it is clear path that has been offered to end its status as a pariah state. Indeed, the President’s strategy is to enhance, and not hobble, strong diplomatic efforts to advance Iran's nuclear program. This is certainly not an end in itself.

I want to make clear that I am not interested in causing more suffering to the Iranian people. I am not foolish enough to think that we can impose “crippling U.S. sanctions” that “go far beyond recently-enacted UN sanctions,” according to the authors of this legislation, without causing suffering to the Iranian people. While the conference report before us states that the people of the U.S. “have feelings of friendship for the people of Iran,” unfortunately even with the most expansive waiver authority, they will still bear the brunt—rather than the reckless Iranian regime—of these policies. If we must do sanctions, they ought to be clearly targeted at the Government of Iran and individuals within that government rather than the people as a whole, in order to avoid creating hardship and inflicting harm on the Iranian society as a whole, in order to avoid creating hardship and inflicting harm on the Iranian society as a whole.

I hope very much that no one in the international community takes passage of this legislation today as a sign that diplomacy is off the table or that our only other option going forward is a military strike, which most of us agree does not serve U.S. interests or that of the international community.

CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

SPEECH OF HON. GWEN MOORE OF WISCONSIN IN THE HOUSE OF REPRESENTATIVES Thursday, June 24, 2010

Ms. MOORE of Wisconsin. Mr. Speaker, I rise in support of the conference report accompanying H.R. 2194 but not without some reservations within which I want to talk about. As you all know, when this bill first came before the House, I voted against it. I was concerned that provisions in the bill: (1) limited or did not provide the President the ability to waive sanctions to advance important national security goals through diplomacy, (2) impacted disproportionately the general population of Iran who had just courageously stood up to the regime after last year’s fraudulent elections, (3) and imposed unilateral measures when almost everyone agrees that if you are to use sanctions, multilateral ones have the best chance of achieving their purpose.

At that time, I said that it was my hope that as this legislation moved forward in the legislative process, further changes would be made to strengthen this bill in a way that would truly enhance, and not hobble, strong diplomatic efforts to diplomatically engage Iran as well as to enact multilateral sanctions.

Today, we have before us a conference report that is better than the bill that came before the House in December. This conference report makes a number of changes to provide flexibility, ensure that the President can continue to engage in international diplomacy, adding elements that were missing from the version that passed the House. It would also include targeted sanctions—including the denial of U.S. visas and asset freezes—that isolate those in the Iranian government or who acted on behalf of that government, based on credible evidence, to order or direct the serious human rights abuses that occurred against Iranian protesters after the June 2009 elections—such as violations of our policy goals without also broadly impacting and punishing the Iranian protestors who were the victims (and continue to be the targets) of that brutality.

I want also state and local governments to divest their investments in companies doing business with Iran, if that is a course they choose to pursue. This authority is similar to that granted by Congress only a few years ago allowing a similar diversions regarding investments in Sudan.

These changes are certainly improvements to the bill that passed the House over my opposition in December. As I have said before, the President’s flexibility to conduct foreign relations and diplomatic efforts to achieve a strong international consensus against Iran is not a loophole to be closed but a vital tool that needs to be supported. Diplomacy without flexibility is not diplomacy.

Additionally, even as I vote to support improvements that I think will be useful to the Administration as it pursues an engagement strategy with this partnership with our allies in the international community, I want to make clear that I am not interested in causing more suffering to the Iranian people. I am not foolish enough to think that we can impose “crippling U.S. sanctions” that “go far beyond recently-enacted UN sanctions,” according to the authors of this legislation, without causing suffering to the Iranian people.

While the conference report before us states that the people of the U.S. “have feelings of friendship for the people of Iran,” unfortunately even with the most expansive waiver authority, they will still bear the brunt—rather than the reckless Iranian regime—of these policies. If we must do sanctions, they ought to be clearly targeted at the Government of Iran and individuals within that government rather than the people as a whole, in order to avoid creating hardship and inflicting harm on the Iranian people. That would send an even more unmistakable message to the people of Iran about our intentions. While not perfect, there appears to have been good faith efforts made in the conference on this bill to do that.

I hope very much that no one in the international community takes passage of this legislation today as a sign that diplomacy is off the table or that our only other option going forward is a military strike, which most of us agree does not serve U.S. interests or that of the international community.

SPEECH OF HON. STEVE ISRAEL OF NEW YORK IN THE HOUSE OF REPRESENTATIVES Monday, June 28, 2010

Mr. ISRAEL. Madam Speaker, I rise today to recognize Walter Hessling who passed away on November 27, 2009.
Walter was one of many courageous men who chose to serve his community as a firefighter. He was a Captain of the Dix Hills Volunteer Fire Department and served his community valiantly for 32 years. To all of those who knew and loved him, his untimely death will forever be a reminder of his selflessness. His last heroic moment in the line of duty saved the lives of others who he never met. As time passes, the pain will fade, but the memory of Walter will always remain a shining example of truth and goodness to all of those whose lives he touched.

This evening, as we remember Walter Hessling for his bravery and kindness and for his dedication and service to the Dix Hills Fire Department, we honor the memory of Governor Dolph Briscoe Jr.

**RECOGNIZING THE HOA HAO BUDHISM ASSOCIATION’S 71ST ANNIVERSARY**

**HON. LORETTA SANCHEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Ms. SANCHEZ of California, Madam Speaker, I rise today, to recognize the Overseas Hoa Hao Buddhism Association’s 71st Anniversary of the Founding of Hoa Hao Buddhism. Today, Hoa Hao Buddhism is one of the six most important religions in Vietnam. Through the hardships and trials of Communist Vietnam, Hoa Hao Buddhism still exists with a mass of over four million followers closely united in their faith. In Orange County, the Hoa Hao Buddhist Church is a member of the Vietnamese Interfaith Council, a body established in order to promote harmony between major religions in Vietnam.

Unfortunately, the U.S. Department of State 2009 International Religious Freedom Report indicates that the Vietnamese government continues to persecute and restrict organized activities of religious organizations like Hoa Hao Buddhism. We are continuing to see more and more activists being detained and imprisoned for exercising their freedom of speech, religion and expression. I encourage my colleagues to continue to urge the State Department to re-designate Vietnam as a country of particular concern and fight for those in Vietnam who are putting their lives in danger in the name of freedom.

**ON THE PASSING OF FORMER GOVERNOR OF TEXAS DOLPH BRISCOE, JR.**

**HON. CIRO D. RODRIGUEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. RODRIGUEZ. Madam Speaker, Uvalde, TX is a small town in my district. Uvalde is known for its plentiful trees and clear springs, but it is best known for its two most famous residents: John Nance Garner, also known as Cactus Jack who was Speaker of the House from 1931–1933 and also served as Vice President to Franklin Roosevelt and also Farmers Association of Texas and Philanthropist Dolph Briscoe Jr.

Last night, at the age of 87, Governor Briscoe passed away. My thoughts and prayers are with his family and friends and with the people of Uvalde who he loved.

I rise today to honor his legacy. With his passing, Texas lost a legendary figure. He was the first Texas governor from Southwest Texas and one of the great philanthropists of our time: the Conservationist Dolph Briscoe Jr.

His generosity has preserved western art and expanded our institutions of higher learning. He served in the Texas Legislature from 1949 to 1957 and then served as Governor from 1973 to 1979. He was truly a champion of the public, signing into law the 1973 Texas Open Records Act and the 1977 Texas Ethics in Government Act to protect the public’s right to information about state and local government. He was also responsible for sponsoring legislation that gave Texas its statewide farm-to-market road system. And his role as president of the Texas and Southwestern Cattlemen’s Association in the 1960s improved the agricultural industry immeasurably.

I was proud to name the Uvalde Post Office after Gov. Briscoe in 2007 for his distinguished career in public service. And today, I honor the memory of Gov. Briscoe for his commitment to Texans and a life as a dedicated public servant.

**DEMOCRACY IS STRENGTHENED BY CASTING LIGHT ON SPENDING IN ELECTIONS ACT**

**SPEECH OF**

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Ms. ESHOO. Mr. Chair, I rise in support of the DISCLOSE Act. I believe this appropriately named piece of legislation is a critical step forward to improving transparency and limiting the influence of corporate PACs in electoral politics, and I’m pleased to be a cosponsor of it.

In January, the Supreme Court issued its controversial ruling in Citizens United v. the Federal Election Commission, overturning limits on corporate campaign activity that had been settled law for over 100 years. This created a guarantee of a free-for-all in campaign spending. I strongly disagree with the decision, and I’m pleased that the DISCLOSE Act will reverse the damage that the Supreme Court has created.

I have been a supporter of campaign finance reform since I was first elected to Congress. Over a decade ago I was proud to support the Shays-Meehan campaign finance reform legislation to prevent corporations from buying elections.

Today, legislation takes a number of important steps forward. It prevents corporations from spending money in campaigns, including those who receive large government contracts; those who are controlled by foreign entities; or those who received a government bailout through the TARP program.

It is important that the bill be able to stand by their ads by requiring their CEOs to appear on camera to say they endorse the message, just as candidates must. The bill will also
strengthen disclosure requirements in the critical weeks before an election.

Under DISCLOSE, corporations will not be able to hide behind organizations with innocuous or vague sounding names when they run political ads. Organizations that sprout up overnight to participate in campaigns will be required to disclose their donors so voters will know who is sponsoring their ads, while at the same time allowing well-established issue-advocacy groups to protect the privacy of their donor base.

The American people deserve to know who attempts to influence their elections. Once they know who sponsored an ad, they can judge the content for themselves and vote accordingly. The DISCLOSE Act will help voters make their own decisions, a principle that is at the core of our democracy.

I want my colleagues to vote for this highly important legislation.

RECOGNIZING DARWIN HINDMAN
HON. BLAINE LUETKEMEYER
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. LUETKEMEYER. Madam Speaker, I rise today to recognize Darwin Hindman, the former mayor of Columbia, Missouri, who retired after 15 years of public service, thus becoming the longest-serving mayor in the city’s history.

Over the course of his storied career, Mayor Hindman left a significant mark on Columbia’s park system by creating Stephens Lake, Flat Branch, and the new South East Regional Park. During his tenure, Columbia grew to over 100,000 residents and saw its downtown greatly improved. Also, as an avid bicyclist, Mayor Hindman transformed Columbia into a more bike-friendly community. It should also be noted that Mayor Hindman has been a great advocate for healthy living and has won numerous awards for his efforts, including the Leadership for Healthy Communities Award in 2009.

In addition, Mayor Hindman is a past recipient of the Columbia Chamber of Commerce Outstanding Citizen of the Year, University of Missouri Faculty Alumni, Cheveron Times Mirror Publications Citizen Conservation, Jr., Memorial Association, and MU College of Arts and Science Distinguished Alumnus awards.

Mayor Darwin Hindman is supported by his wife, Axie, children Skip and Ellen, and four grandchildren. Mayor Hindman served two tours of active duty as a pilot in the U.S. Air Force.

In closing, Madam Speaker, I ask all my colleagues to join me in congratulating former Mayor Darwin Hindman for his service to the city of Columbia.

TRIBUTE TO CLIFFORD LEE CHILDERS
HON. HAROLD ROGERS
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to pay tribute to the late Clifford Lee Childers, a family man who had a long and distinguished career in Pulaski County Kentucky.

In 1988, Mr. Childers operated the Somerset Financial Center and while there obtained his real estate and insurance licenses. Soon after, Mr. Childers was able to fulfill his lifetime dream of owning a small business when he opened Childers Financial Services. Performing residential and commercial appraisals in 14 counties he managed a very successful company that serves the Lake Cumberland area.

Mr. Childers was a man of faith and served as a deacon for the East Somerset Baptist Church. Always putting God first he strived to be an example to those around him and spread God’s Word through his actions. Mr. Childers also proudly served his country, enlisting in the Kentucky National Guard in 1970, he served until October 1996 and achieved the rank of Colonel.

Family was always Mr. Childers priority. He was married to Charlene Childers for 37 loving years and together they raised 3 children and were blessed with 5 grandchildren. Whether he was with his family at home in Somerset, Kentucky, or at their ‘home away from home’ in Bluffton, South Carolina, Mr. Childers treasured every moment with his family.

Madam Speaker, I ask my colleagues to join me in memory of Mr. Clifford Lee Childers, a man who tirelessly worked to make the world a better place. His love for life will be truly be missed.

OUR UNCONSCIONABLE NATIONAL DEBT
HON. MIKE COFFMAN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,038,305,786,811.25.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80. This means the national debt has increased by $2,399,880,040,517.40 so far this Congress.

This debt and its interest payments are passing to our children and all future Americans.

RECOGNIZING THOMAS W. LUDLOW ASHLEY
HON. MICHAEL R. TURNER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. TURNER. Madam Speaker, it is my privilege to join my colleagues to honor the life and work of former Congressman Thomas W. Ludlow Ashley.

Thomas W. Ludlow Ashley served the State of Ohio for 13 terms in the U.S. House of Representatives, from 1955 to 1981. Mr. Ash ley served Ohio’s 9th District, which includes the city of Toledo and surrounding Lucas County.

He was a graduate of Yale University where one of his classmates was a future President, George H.W. Bush. Ashley graduated from the Ohio State University Law School in Columbus, Ohio in 1951.

Congressman Ashley was the great-grandson of former Congressman James Mitchell Ashley, who also represented Ohio’s ninth congressional district, from 1859 to 1869, and co-authored the 13th Amendment that abolished slavery.

Congressman Ashley’s work in Congress has proven very important for American cities. He was chairman of a House subcommittee on housing and community development with the Banking Committee.

In this role, Ashley helped write and pass the Housing and Community Development Acts of 1974 and 1977. These important bills paved the way for the Community Development Block Grant program. In recognition of his role as an advocate for affordable housing, Senator Edward Kennedy remarked: “Americans sleep in better homes today because of Lud Ashley.”

I join my colleagues in the Ohio delegation in honoring the life of Congressman Thomas W. Ludlow Ashley, and his distinguished service to our State and our Nation.

ON THE OCCASION OF CELEBRATING THE 100TH BIRTHDAY OF MRS. GLADYS HASKINS
HON. G.K. BUTTERFIELD
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. BUTTERFIELD. Madam Speaker, on Saturday, July 17, 2010, friends and family will gather to celebrate the 100th birthday of Mrs. Gladys Haskins in Wilson, North Carolina. Mrs. Haskins is a strong and caring woman who strives to treat everyone well and always tries to do what is right.

The youngest of 12 siblings, Mrs. Haskins was born in Florence, South Carolina on July 3, 1910. Because her family worked as sharecroppers, she had to leave school after the third grade to work. Her family later moved to Wilson, North Carolina where she met and married her husband, Nathan Haskins, Sr.

After living in Washington, DC for a decade, Mrs. Haskins returned to Wilson, North Carolina where she lives to this day. She maintains an interest in gardening, and has been a faithful member of Wilson Chapel Free Will Baptist Church for more than 50 years. And, as the Bible commands in Exodus 20:12, Mrs. Haskins has always sought to honor her father and mother in order to live long in the land the Lord has provided.

Madam Speaker, I ask that my colleagues join me in recognizing Mrs. Gladys Haskins. She is a truly remarkable person deserving of our deepest good wishes as she and her loved ones celebrate her 100th birthday.
CONFERENCE REPORT ON H.R. 2194, COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010

SPEECH OF
HON. RICK LARSEN
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Thursday, June 24, 2010

Mr. LARSEN of Washington. Mr. Speaker, I rise today to express my support for the conference report on H.R. 2194, the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010.

Iran is a threat to regional security and stability. It has flouted international law and supplied weapons to terrorist groups throughout the Middle East.

Upon taking office in 2009, President Barack Obama attempted to engage with Iran, including offering a deal which would have allowed Iran to receive nuclear fuel for peaceful purposes. However, Iran has spurned these good-faith efforts at engagement, and the time has come to put in place comprehensive sanctions.

The international community supports our efforts to isolate Iran through sanctions. President Obama secured a landmark sanctions agreement at the United Nations Security Council several weeks ago. The European Union took further action earlier this month when it agreed to impose stringent sanctions on Iran.

This bill goes even further than the UN and the EU—it is a comprehensive and stringent package of sanctions. Among many important provisions, it will prohibit investment in Iran’s oil refining industry and create a legal framework for companies and investment managers who wish to divest from companies doing business with Iran. It will force many companies to answer a question—do I work with the U.S., or do I work with Iran?

I urge my colleagues to join me in passing H.R. 2194. 2194. It is time to send a clear message to Iran that their provocative actions and reckless pursuit of a nuclear weapon will not be tolerated.

HONORING THE LIFE OF FRANK PELLEGRINI

HON. STEVE ISRAEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. ISRAEL. Madam Speaker, I rise today to recognize Frank Pellegrini, who passed away on March 25, 2010.

Frank touched the lives of people all over Long Island and he will be remembered as a man who showed grace and humility in all aspects of his life. For 40 years, he worked at Farmingdale State College where he served thousands of students and teachers through his roles as an Organic Chemistry teacher and then the Dean of the College of Arts and Sciences.

Frank also served for 35 years as the Chief and Commissioneer of the Dix Hills Fire Department where his heroic efforts touched the lives of countless members of the community. Frank possessed extreme bravery and a passion for helping others.

Frank Pellegrini will be remembered by all who were fortunate enough to know him, and his memory will remain a fixture in both institutions where he served for so long.

HOME ENERGY CONSERVATION BONDS

HON. JIM MCDERMOTT
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. MCDERMOTT. Madam Speaker, the main obstacles facing homeowners who want to make their homes more energy efficient are the initial costs and poor access to capital. The legislation I am introducing will give the authority to issue bonds to states and large localities allowing them to issue loans for residential energy efficiency improvements. This legislation will significantly help homeowners who want to renovate their homes for increased energy efficiency. Home Energy Conservation Bonds will help homeowners overcome the upfront capital costs of energy efficiency retrofits, allowing homeowners to drastically reduce their energy and water consumption and pay less each month for their utilities. Only through addressing efficiency and conservation will homes will be able to fully address our nation’s addiction to energy. Renovating homes for increased energy efficiency provides a critical economic infusion, helps create new jobs and stimulate local economies. I look forward to working with my colleagues to realize that goal.

HARBOR MAINTENANCE TRUST FUND IMPROVEMENT ACT OF 2010

HON. LINDA T. SÁNCHEZ
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Ms. SÁNCHEZ of California. Madam Speaker, I rise today to introduce the Harbor Maintenance Trust Fund Improvement Act of 2010. This bill would strengthen our national economy and international competitiveness.

Our harbors are economic engines for our nation. Because more than 95 percent of overseas trade moves in and out of the United States by ship, harbor infrastructure is vital to the American economy.

Moreover, our harbors create a substantial amount of revenue through the Harbor Maintenance Tax. The tax is imposed on importers and domestic shippers based upon the value of their cargo and is deposited in the Harbor Maintenance Trust Fund.

Fund money is designated for recovering and maintenance costs at US coastal and Great Lakes Harbors, particularly for dredging. Yet, our harbors only receive a fraction of the revenue they create. Revenue deposited into the fund far exceeds transfers out of the fund. This lead to a balance of almost $5 billion at the end of fiscal year 2009.

At the same time, the global economic crisis has hit our harbors and many are struggling to make ends meet. It is only fair to give back to our harbors in their times of need. That’s why the Harbor Maintenance Trust Fund Improvement Act would expand our harbors’ ability to make use of Harbor Maintenance Trust Fund money. The bill would allow them to use the revenue they create not only for maintenance and dredging needs but also for the costs of Environmental Impact Statements for navigation projects.

Environmental Impact Statements are required whenever the Corps of Engineers is involved in harbor maintenance and development efforts. The Statements serve the federal mission of taking environmental effects of a project into account. Use of Harbor Maintenance Trust Fund resources for this purpose is appropriate and long overdue. Harbors would be relieved of these costs, while the federal mission of assessing the environmental impact of such projects is strengthened.

Please join me in helping our harbors with this sensitive relief. I urge my colleagues on both sides of the aisle to support this important bill.

GEOTHERMAL ENERGY INVESTMENT ACT

HON. EARL BLUMENAUR
OF ORION
IN THE HOUSE OF REPRESENTATIVES

Monday, June 28, 2010

Mr. BLUMENAUR. Madam Speaker, I rise today in support of the Geothermal Energy Investment Act. This legislation will extend a 30 percent investment tax credit for geothermal energy through December 31, 2016, providing parity with the solar investment tax credit. This longer-term incentive will support substantial growth in utility scale geothermal power, distributed on-site power generation, and heating for buildings and commercial processes, while using clean and renewable American energy.

Geothermal energy facilities supply environmentally-friendly baseload power while producing very low emissions. Once installed, geothermal power is incredibly reliable, with average availabilities of 90 percent or higher (compared to about 75 percent for coal plants). The United States has more geothermal capacity than any other country. In fact, if we could recover this entire resource base, our domestic resources are equivalent to a 30,000-year energy supply at our current levels of consumption. Geothermal energy resources are present in all 50 U.S. States today, and in California more than 40 geothermal plants provide nearly five percent of the State’s electricity.

To access this capacity, however, developers of this power source need assistance in ameliorating the risks associated with geothermal energy investment. While the costs for electricity from geothermal facilities are declining, these installations are complex, long-term projects. There are significant costs involved with the exploration and development of these new technologies. Short-term incentives currently in the tax code limit long-term efforts to develop these resources.

The legislation also seeks to encourage growth of new geothermal technologies, in particular small power production and direct heat use. New technologies will allow geothermal power to be generated and used on-site, such as the new power generation equipment installed at Oregon Institute of Technology.
Small, distributed geothermal power generation is being explored in many new areas, from Oregon to Texas and North Dakota. This proposal will encourage the development of those technologies by extending the 30 percent credit to them as well. I look forward to working with my colleagues to pass this important legislation.

ON THE BIRTH OF PATRICK AND BRENDAN RILEY

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. WILSON of South Carolina. Madam Speaker, I am happy to congratulate Jeffery Charles Riley and his wife Scarlett Diann Hutson Riley on the birth of their new baby twin boys. Patrick Sean Riley and Brenden Oscar Riley were born on June 22, 2010 weighing 5 pounds, 13 oz. and 5 pounds, 3 oz., respectively at Torrance Memorial Center of Torrance, California. Brenden is a little taller at 19 inches than his brother at 17 ¾ inches. I am so excited for this new blessing to the Riley family and wish them all the best as we know they will certainly have their hands full! I want to congratulate Patrick and Brenda’s grandparents Charles and Debbie Riley of Torrance, California, and Marion and Margaret Hutson of Cayce, South Carolina, on this wonderful new extension of their family.

RECOGNIZING THE ONE-YEAR ANNIVERSARY OF FORMER HONDURAN PRESIDENT MANUEL ZELAYA’S REMOVAL FROM POWER

HON. CONNIE MACK
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. MACK. Madam Speaker, one year ago today, on June 28, 2009, the Honduran people chose to uphold their Constitution and the rule of law by removing former President Manuel Zelaya from power, a close ally of Venezuelan strongman Hugo Chavez who was taking the Honduran people down the path of less freedom.

But even though the Honduran people were following the rule of law, the international community punished them for instituting what they believed to be a “military coup.” Honduras was suspended from the Organization of American States, OAS, and had their vital U.S. assistance temporarily frozen, causing them to permanently lose part of their Millennium Challenge Corporation project.

Even in the face of adversity (as well as a devastating tropical storm and the worst drought in 25 years), Honduras continued its fight for democracy and the rule of law. They withdrew from ALBA, an organization of leftist states in Latin America; they created a new human rights officer to respond to increasing attacks on journalists in their country; and their interim president, Roberto Micheletti, oversaw a peaceful, free and fair presidential election in November. Honduras was able to accomplish great things for its democracy, all while dealing with charges and visits from our own government, which was focused not on helping our friend and ally, but shaming and threatening them into rewriting history.

A year after standing up to a ruthless leader who attempted to dismiss the country’s constitution in an effort to maintain power, the Honduran people have their sights set on their nation’s future.

President Lobo inherited a country that was in the worst shape it had been in over the past 40 years: a dire economic situation, a growing number of attacks on journalists, and a sharp increase in drug trafficking by illegal gangs. In fact, according to a Reuters report, some 1,600 people died in drug violence in Honduras in 2009.

Unfortunately, as a result of the shortsighted interference by the United States, the Lobo Administration has been forced to place its first focus on rebuilding its diplomatic relations with the international community, rather than tackling the many problems within their nation.

As we continue to work with Honduras to overcome the challenges it faces in providing freedom, security and prosperity to the Honduran people, I call on the State Department to provide one clear message: those who look conformity directly in the face, and choose the fight of freedom, are the heroes required to build a free and fair society, and will always have a place as a friend and ally of the United States.

I take this opportunity today, on the one-year anniversary of the removal of former President Manuel Zelaya, to encourage the Honduran people to continue their fight for freedom, security and prosperity, and I pledge my continued support for them in this noble goal.

RECOGNIZING NATIONAL ESIGN DAY

HON. JIM McDERMOTT
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, June 28, 2010

Mr. McDERMOTT. Madam Speaker, I rise to support the designation of June 30 as National ESIGN Day. National ESIGN Day will commemorate the 10th anniversary of the signing of the Electronic Signatures in Global and National Commerce Act (ESIGN), which has transformed how interstate commerce and business is conducted.

The advent of e-signatures has brought immeasurable benefit to consumers and the business community, providing for increased consumer convenience, and reduced costs. E-signatures have significantly increased transaction speed and closure rates, saving time and money for businesses, and provide secure and predictable outcomes with fewer errors.

Recognizing June 30 as National ESIGN Day acknowledges the previous contribution made by the Congress to adopt modern solutions that keep our nation on the leading technological edge and reaffirms the Congress’s commitment to more efficient and environmentally conscious business practices. I represent the city of Seattle—one of the world’s greatest technology hubs—where the Electronic Signatures Act has greatly enhanced the ability of companies to remain competitive and active with companies from around the globe.

The first agreement signed with electronic signatures by sovereign nations happened in 1998 between the United States and Ireland. Since then, electronic signature technology has significantly strengthened global communications. New strides are made every day in this area. Just this past spring, the Federal Housing Administration announced that it will now accept e-signed third party documents which will help expedite real estate transactions.

Less than two weeks ago, the Utah Supreme Court ruled to allow electronic signatures on petitions in the election process, becoming the first state in the nation to do so.

I would especially like to acknowledge Seattle-based electronic signature management platform provider DocuSign for being champions in the electronic signatures industry and for spearheading the coalition to mark June 30 as National ESIGN Day.

Dozens of industries and associations have offered their support for this resolution to celebrate the advancements that have been made in the past decade, and more importantly, to encourage even more rapid adoption of electronic signatures in the future.


This resolution honors the forethought and vision of those who worked to pass the landmark Electronic Signatures in Global and National Commerce Act ten years ago. The passage of that bill paved the way for American companies to operate globally, and it is truly a victory for every businesses and governmental agency looking to increase productivity and efficiency. Let us recognize June 30 as National ESIGN Day.
### SENATE COMMITTEE MEETINGS

**Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.**

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the **CONGRESSIONAL RECORD** on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 29, 2010 may be found in the Daily Digest of today’s **RECORD**.

### MEETINGS SCHEDULED

**JUNE 30**

**Time to be announced**

**Judiciary** To continue hearings to examine the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States.  

SH–216

**9 a.m.**

**Environment and Public Works**  
Business meeting to consider S. 3305, to provide that oil polluters pay the full cost of oil spills, S. 3515, to authorize and enhance the programs of the Department of the Interior relating to the detection of, response to, and mitigation and cleanup of oil spills on Federal land managed by the Department, S. 1313, to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico, an original bill entitled, “Columbia River Basin Restoration Act of 2010”, S. 3073, to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes, S. 3538, to amend the Federal Water Pollution Control Act to establish a grant program to assist in the restoration of San Francisco Bay, H.R. 4715, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, S. 1816, to amend the Federal Water Pollution Control Act to improve and reauthorize the Chesapeake Bay Program, S. 2798, to amend the Federal Water Pollution Control Act to provide for the establishment of the Puget Sound Program Office, S. 3119, to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship, S. 3481, to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution, S. 3954, to redesignate the North Mississippi National Wildlife Refuge Complex as the Sam D. Hamilton North Mississippi National Wildlife Refuge Complex, and H.R. 3562, to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the “James Chaney, Andrew Goodman, and Michael Schwerner Federal Building”, and a proposed resolution relating to the General Services Administration.  

SD–406

**9:30 a.m.**

**Agriculture, Nutrition, and Forestry**  
To hold hearings to examine farm bill reauthorization, focusing on maintaining our domestic food supply through a strong United States farm policy.  

SR–328A

**Energy and Natural Resources**  
Business meeting to consider S. 3516, to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf.  

SD–366

**Indian Affairs**  
Business meeting to consider pending calendar business; to be immediately followed by an oversight hearing to examine diabetes in Indian country and beyond.  

SD–628

**10 a.m.**

**Commerce, Science, and Transportation**  
To hold hearings to examine the Deepwater Horizon tragedy, focusing on holding industry accountable.  

SR–253

**Homeland Security and Governmental Affairs**  
To hold hearings to examine nuclear terrorism, focusing on strengthening our domestic defenses, part 1.  

SD–342

**Banking, Housing, and Urban Affairs**  
**Housing, Transportation and Community Development Subcommittee**  
To hold hearings to examine green housing for the 21st century, focusing on retrofitting the past and building an energy-efficient future.  

SD–562

**2 p.m.**

**Aging**  
To hold hearings to examine drug waste and disposal, focusing on when prescriptions become poison.  

SD–106

**2:30 p.m.**

**Homeland Security and Governmental Affairs**  
**Contracting Oversight Subcommittee**  
To hold hearings to examine interagency contracts (part II).  

SD–342

**July 1**

**Time to be announced**

**Judiciary**  
To continue hearings to examine the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States.  

SH–216

**9 a.m.**

**Judiciary**  
Business meeting to consider H.R. 1933, to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and H.R. 2765, to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.  

SR–418

**9:30 a.m.**

**Energy and Natural Resources**  
To hold hearings to examine S. 3452, to designate the Valles Caldera National Preserve as a unit of the National Park System.  

SD–366

**Veterans’ Affairs**  
To hold hearings to examine veterans’ claims processing, focusing on if current efforts are working.  

SR–418

**10 a.m.**

**Commerce, Science, and Transportation**  
**Consumer Protection, Product Safety, and Insurance Subcommittee**  
To hold hearings to examine protecting youths in an online world.  

SR–253

**Health, Education, Labor, and Pensions**  
**Employment and Workplace Safety Subcommittee**  
To hold hearings to examine workplace safety and worker protections at BP.  

SD–430

**Foreign Relations**  
To hold hearings to examine navigating the global economy, focusing on implications for the United States.  

SD–419

**2:30 p.m.**

**Homeland Security and Governmental Affairs**  
To hold hearings to examine preventing and recovering government payment errors.  

SD–342

**Energy and Natural Resources**  
**Water and Power Subcommittee**  
To hold an oversight hearing to examine the Federal response to the discovery of the aquatic invasive species Asian carp in Lake Calumet, Illinois.  

SD–366

**Intelligence**  
To hold closed hearings to consider certain intelligence matters.  

SH–219

**July 2**

**9:30 a.m.**

**Joint Economic Committee**  
To hold hearings to examine the employment situation for June 2010.  

SD–106

**July 21**

**9:30 a.m.**

**Veterans’ Affairs**  
To hold hearings to examine improvements to the post-9/11 Government Issue (GI) Bill.
### August 5

9:30 a.m.  
Veterans’ Affairs  
Business meeting to consider pending calendar business.  
SR-418

### September 22

9:30 a.m.  
Veterans’ Affairs  
To hold hearings to examine a legislative presentation focusing on the American Legion.  
345, Cannon Building

### September 23

9:30 a.m.  
Veterans’ Affairs  
To hold an oversight hearing to examine Veterans’ Affairs disability compensation, focusing on presumptive disability decision-making.  
SR-418
HIGHLIGHTS

Senate agreed to S. Res. 572, relative to the death of Senator Robert C. Byrd, of West Virginia.

Senate agreed to S. Res. 567, electing Senator Daniel K. Inouye, of Hawaii, to be President pro tempore of the Senate of the United States.

Senate

Chamber Action

Routine Proceedings, pages S5465–S5502

Measures Introduced: Three bills and six resolutions were introduced, as follows: S. 3540–3542, and S. Res. 567–572. Pages S5488–89

Measures Reported:

S. 2129, to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women’s History Museum, with amendments. (S. Rept. No. 111–216)

H.R. 1700, to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women’s History Museum, with amendments. (S. Rept. No. 111–217)

Page S5488

Measures Passed:

E lecting the President Pro Tempore: Senate agreed to S. Res. 567, to elect Daniel K. Inouye, a Senator from the State of Hawaii, to be President pro tempore of the Senate of the United States.

Page S5465

Notification to the House of Representatives: Senate agreed to S. Res. 568, notifying the House of Representatives of the election of a President pro tempore.

Page S5474

Notification to the President: Senate agreed to S. Res. 569, notifying the President of the United States of the election of a President pro tempore.

Page S5474

Predisaster Hazard Mitigation Act: Senate passed S. 3249, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the predisaster hazard mitigation program, after agreeing to the committee amendment. Page S5496

235th Birthday of the United States Army: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 286, recognizing the 235th birthday of the United States Army, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto:

Casey (for Leahy/Levin) Amendment No. 4399, to amend the resolution.

Casey (for Leahy/Levin) Amendment No. 4400, to amend the preamble.

Pages S5496–97

Ammonium Nitrate Fertilizer: Senate agreed to S. Res. 570, calling for continued support for and an increased effort by the Governments of Pakistan, Afghanistan, and other Central Asian countries to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent the transport of ammonium nitrate into Afghanistan where the ammonium nitrate is used in improvised explosive devices.

Pages S5496–97

Israeli Soldier Gilad Shalit: Senate agreed to S. Res. 571, calling for the immediate and unconditional release of Israeli soldier Gilad Shalit held captive by Hamas.

Pages S5497

Relative to the Death of Senator Robert C. Byrd: Senate agreed to S. Res. 572, relative to the death of the Honorable Robert C. Byrd, a Senator from the State of West Virginia.

Page S5499

Swearing in of President Pro Tempore: Senator Daniel K. Inouye, of Hawaii, was sworn in as President pro tempore of the Senate of the United States.

Page S5465
Small Business Lending Fund Act—Agreement:
A unanimous-consent agreement was reached providing that the cloture vote on the motion to proceed to consideration of H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, be delayed to occur at 2:15 p.m., on Tuesday, June 29, 2010, further that if cloture is invoked on the motion to proceed, then all post-cloture time be considered yielded back, and Senate then proceed to the consideration of the bill.

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at approximately 11 a.m., on Tuesday, June 29, 2010.

Nomination Confirmed: Senate confirmed the following nomination:
By unanimous vote of 80 yeas (Vote No. EX. 201), Gary Scott Feinerman, of Illinois, to be United States District Judge for the Northern District of Illinois.

Nominations Received: Senate received the following nominations:
Ramona Emilia Romero, of Pennsylvania, to be General Counsel of the Department of Agriculture.
Robert Porter Jackson, of Virginia, to be Ambassador to the Republic of Cameroon.
James Franklin Jeffrey, of Virginia, to be Ambassador to the Republic of Iraq.
Alejandro Daniel Wolff, of California, to be Ambassador to the Republic of Chile.
Richard Christman, of Kentucky, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring October 6, 2012.
Jane D. Hartley, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring October 6, 2014.
Marguerite W. Kondracke, of Tennessee, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2014.
Matthew Francis McCabe, of Pennsylvania, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.
John D. Podesta, of the District of Columbia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.
Lisa M. Quiroz, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2014.
Phyllis Nichamoff Segal, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2013.
Harry James Franklyn Korrell III, of Washington, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2011.
Joseph Pius Pietrzyk, of Ohio, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2011.
Pamela Young-Holmes, of Wisconsin, to be a Member of the National Council on Disability for a term expiring September 17, 2010.
Pamela Young-Holmes, of Wisconsin, to be a Member of the National Council on Disability for the remainder of the term expiring September 17, 2013.

Nominations Withdrawn:
A routine list in the Army.

Messages from the House:

Measures Placed on the Calendar:

Measures Read the First Time:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Notices of Hearings/Meetings:

Authorities for Committees to Meet:

Text of S. Res. 548 as Previously Agreed To:

Record Votes: One record vote was taken today.

Adjournment: Senate convened at 2 p.m. and adjourned, as a further mark of respect to the memory of the late Senator Robert C. Byrd, of West Virginia, in accordance with S. Res. 572, at 7:13 p.m.,
Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on the Judiciary: Committee held a hearing to examine the nomination of Elena Kagan, of Mas-
sachusetts, to be an Associate Justice of the Supreme Court of the United States, the nominee, who was introduced by Senator Kerry and Brown (MA), testi-
ified in her own behalf.

Hearings recessed subject to the call and will meet again on Tuesday, June 29, 2010.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 pub-
lic bills, H.R. 5609–5621; and 3 resolutions, H. Res. 1481–1483 were introduced. Pages H4904–05

Additional Cosponsors: Pages H4905–06

Reports Filed: Reports were filed today as follows:

H.R. 1554, to take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, with an amendment (H. Rept. 111–513);

H.R. 2340, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, with an amendment (H. Rept. 111–514); and

H.R. 4445, to amend Public Law 95–232 to re-
peal a restriction on treating as Indian country cer-
tain lands held in trust for Indian pueblos in New Mexico, with an amendment (H. Rept. 111–515).

Speaker: Read a letter from the Speaker wherein she appointed Representative Edwards (MD) to act as Speaker pro tempore for today.

Recess: The House recessed at 12:31 p.m. and recon-
vened at 2 p.m.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Major General David F. Wherley, Jr., District of Columbia National Guard Retention and College Access Act: H.R. 3913, amended, to direct the Mayor of the District of Columbia to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to en-
able members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; and

United States Secret Service Uniformed Division Modernization Act: S. 1510, amended, to transfer statutory entitlements to pay and hours of work authorized by the District of Columbia Code for current members of the United States Secret Service Uniformed Division from the District of Columbia Code to the United States Code.

Agreed to amend the title so as to read: “To transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes.”.

Recess: The House recessed at 3:22 p.m. and recon-
vened at 6:06 p.m.

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Recognizing the National Collegiate Cyber De-
fense Competition: H. Res. 1244, amended, to rec-
ognize the National Collegiate Cyber Defense Com-
petition for its now five-year effort to promote cyber security curriculum in institutions of higher learning;

Recognizing the work and importance of special education teachers: H. Con. Res. 284, amended, to recognize the work and importance of special education teachers;

Congratulating the Chicago Blackhawks on winning the 2010 Stanley Cup Championship: H. Res. 1439, to congratulate the Chicago Blackhawks on winning the 2010 Stanley Cup Championship; and

Paula Hawkins Post Office Building Designa-
tion Act: H.R. 5395, to designate the facility of the United States Postal Service located at 151 North
Maitland Avenue, in Maitland, Florida, as the "Paula Hawkins Post Office Building".

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9:30 a.m. tomorrow for morning hour debate and 10:30 a.m. for legislative business.

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H4894 and H4895.

Senate Referrals: S. 3104 was held at the desk.

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 7:27 p.m.

Committee Meetings
No committee meetings were held.

Joint Meetings
No joint committee meetings were held.

NEW PUBLIC LAWS
(For last listing of Public Laws, see DAILY DIGEST, p. D683)
H.R. 3962, to provide a physician payment update, to provide pension funding relief. Signed on June 25, 2010. (Public Law 111–192)

COMMITTEE MEETINGS FOR TUESDAY, JUNE 29, 2010
(Committee meetings are open unless otherwise indicated)

Senate
Committee on Armed Services: to hold hearings to examine the nomination of General David H. Petraeus, USA for reappointment to the grade of general and to be Commander, International Security Assistance Force and Commander, United States Forces Afghanistan, 9:30 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: business meeting to consider an original bill entitled, "Public Transportation Safety Act of 2010", Time to be announced, S–219, Capitol.

Committee on Foreign Relations: to hold hearings to examine the nominations of Rose M. Likins, of Virginia, to be Ambassador to the Republic of Peru, and Peter Michael McKinley, of Virginia, to be Ambassador to the Republic of Colombia, both of the Department of State, Mark Feierstein, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, and Mimi E. Alemayehou, of the District of Columbia, to be Executive Vice President of the Overseas Private Investment Corporation, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the continuing needs of workers and communities affected by 9/11, 2:30 p.m., SD–430.

Committee on the Judiciary: to continue hearings to examine the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States, 9 a.m., SH–216.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Oversight and Investigations, hearing on Beyond the Defense Language Transformation Roadmap: Bearing the Burden for Today’s Education Shortcomings, 1:30 p.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on Wind Farms: Compatible with Military Readiness? 10 a.m., 2118 Rayburn.


Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on the Role and Operations of the United States Secret Service, 2 p.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Subcommittee on National Security and Foreign Affairs, hearing entitled “Contracting in Combat Zones: Who Are Our Subcontractors?” 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Investigations and Oversight, hearing on Setting New Courses for Polar Weather Satellites and Earth Observations, 10 a.m., 2318 Rayburn.

Subcommittee on Research and Science Education, hearing on 21st Century Biology, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, Pipelines, and Hazardous Materials, hearing on the Safety of Hazardous Liquid Pipelines: Regulated vs. Unregulated Pipelines, 2 p.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, and the Subcommittee on Oversight and Investigations, executive, joint Briefing on CIA Activities, 1:30 p.m., 304–HVC.

Joint Meetings
Joint Economic Committee: To hold hearings to examine fueling local economies, focusing on research, innovation and jobs, 10 a.m., SD–106.
Extensions of Remarks, as inserted in this issue

**House**

Blumenauer, Earl, Ore., E1220
Butterfield, G.K., N.C., E1216, E1219
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Israel, Steve, N.Y., E1215, E1217, E1220
Larsen, Rick, Wash., E1220
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