

two resolutions endorsing the report's findings, the United Nations Secretary-General has been requested to submit several reports on implementation of its recommendations, and the Human Rights Council is scheduled to follow up on implementation of the report during future sessions;

Whereas the findings of the Goldstone report and the subsequent and continued United Nations member state actions following up on those findings have caused and continue to cause extensive harm to Israel's standing in the world and could potentially create legal problems for Israel and its leaders;

Whereas Justice Richard Goldstone publicly retracted the central claims of the report he authored in an op-ed in *The Washington Post* on April 2, 2011;

Whereas Justice Goldstone wrote in that article that if he "had known then what I know now, the Goldstone Report would have been a different document";

Whereas Justice Goldstone concluded that, contrary to his report's findings, the Government of Israel did not intentionally target civilians in the Gaza Strip as a matter of policy;

Whereas, in contrast, Justice Goldstone states that the crimes committed by Hamas were clearly intentional, were targeted at civilians, and constitute a violation of international law;

Whereas Justice Goldstone also conceded that the number of civilian casualties in Gaza was far smaller than the report alleged;

Whereas Justice Goldstone admitted that Israel investigated the findings in the report, while expressing disappointment that Hamas has not taken any steps to look into the report's findings; and

Whereas Justice Goldstone concluded that "Israel, like any other sovereign nation, has the right and obligation to defend itself and its citizens": Now, therefore, be it

*Resolved*, That the Senate—

(1) calls on the United Nations Human Rights Council members to reflect the author's repudiation of the Goldstone report's central findings, rescind the report, and reconsider further Council actions with respect to the report's findings;

(2) urges United Nations Secretary-General Ban Ki Moon to work with United Nations member states to reform the United Nations Human Rights Council so that it no longer unfairly, disproportionately, and falsely criticizes Israel on a regular basis;

(3) requests Secretary-General Ban Ki Moon to do all in his power to redress the damage to Israel's reputation caused by the Goldstone report;

(4) asks the Secretary-General to do all he can to urge member states to prevent any further United Nations action on the report's findings; and

(5) urges the United States to take a leadership role in getting the United Nations and its bodies to prevent any further action on the report's findings and limit the damage that this libelous report has caused to our close ally Israel and to the reputation of the United Nations.

**SENATE RESOLUTION 139—EX-PRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD TAKE CERTAIN ACTIONS WITH RESPECT TO THE GOVERNMENT OF BURMA**

Mr. LUGAR (for himself, Mr. MCCONNELL, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

**S. RES. 139**

Whereas the ruling junta in Burma, the State Peace and Development Council (SPDC), (recently renamed as the State Supreme Council), did not affirmatively respond to President Barack Obama's initiative to engage with Burma;

Whereas more than 2000 political prisoners continue to be detained in Burma, even after the release of Aung San Suu Kyi;

Whereas the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110-286) established the position of Special Representative and Policy Coordinator for Burma, and President Obama delayed for over two years to nominate a person for that position;

Whereas the Government of Burma continues to coerce children, including ethnic minorities, into participating in combat and other military roles;

Whereas the Government of Burma continues to coerce civilians, including ethnic minorities, to serve as human minesweepers;

Whereas the Government of Burma continues to coerce civilians, including ethnic minorities, to serve as porters and assist military personnel;

Whereas the United States Government successfully mounted a vigorous and multilateral strategy pursuant to United Nations Security Council Resolution 1874 (2009) to deter a North Korean ship, the Kang Nam I, from traveling to its alleged destination in Burma in July 2009;

Whereas North Korea and Burma are expanding their bilateral military relationship;

Whereas military and other personnel from North Korea have reportedly been in Burma providing technical and other assistance toward the development of the military capabilities of the Government of Burma;

Whereas the Government of North Korea has reportedly provided radar systems and capabilities to the Government of Burma;

Whereas the Government of North Korea has reportedly provided missiles and missile technology to the Government of Burma;

Whereas the Government of North Korea has reportedly provided underground tunneling technology to the Government of Burma;

Whereas the Government of North Korea has reportedly provided multiple rocket launchers to the Government of Burma;

Whereas there are reports that the Governments of North Korea and Burma are collaborating on matters related to the development of Burma's nuclear program;

Whereas the Governments of Russia and Burma collaborated on the development of Burma's nuclear program;

Whereas hundreds of persons from Burma have gone to Russia for specialized training, including in the area of nuclear technology;

Whereas the Government of Burma is acquiring additional MIG aircraft from the Government of Russia;

Whereas hundreds of thousands of persons have fled Burma since 1988 for safety and to avoid persecution; and

Whereas, since October 1, 1989, approximately 80,000 refugees from Burma have resettled in the United States: Now therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) given the growing relationship between the Governments of Burma and North Korea, the President should provide the Congress with an unclassified report as to the volume of ships and planes from North Korea visiting Burma, via China and elsewhere, in 2009, 2010, and through March 2011;

(2) the President should provide leadership by calling for an international investigation into allegations of international crimes

against civilians in Burma, including ethnic minorities, by the Government of Burma;

(3) the President should seek the assistance of friends and allies of the United States who actively engage with the Government of Burma and have diplomatic missions in Burma, including Singapore, Japan, and South Korea, to encourage the release of all remaining political prisoners; and

(4) the President should encourage countries neighboring Burma to establish safe havens for Burmese child soldiers fleeing from forced military service by the Government of Burma.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 290. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 291. Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes.

**TEXT OF AMENDMENTS**

**SA 290.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows.

On page 4, line 9, strike "2019" and insert "2014".

On page 4, line 17, strike "2019" and insert "2014".

On page 5, strike line 18 and all that follows through page 9, line 9.

On page 13, strike line 12 and all that follows through page 27, line 11, and insert the following:

**SEC. 108. ENSURING THAT INNOVATIVE SMALL BUSINESSES WITH SUBSTANTIAL INVESTMENT FROM VENTURE CAPITAL OPERATING COMPANIES ARE ABLE TO PARTICIPATE IN THE SBIR AND STTR PROGRAMS.**

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

"(c) VENTURE CAPITAL OPERATING COMPANIES.—For purposes of the SBIR and STTR programs the following shall apply:

"(1) A business concern that has more than 500 employees shall not qualify as a small business concern.

"(2) In determining whether a business concern is independently owned and operated under section 3(a)(1) or meets the small business size standards established under section 3(a)(2), the Administrator shall not consider a business concern to be affiliated with a venture capital operating company (or with any other business that the venture capital operating company has financed) if—

"(A) the venture capital operating company does not own 50 percent or more of the business concern; and

"(B) employees of the venture capital operating company do not constitute a majority of the board of directors of the business concern.

"(3) A business concern shall be deemed to be independently owned and operated if—

"(A) it is owned in majority part by one or more natural persons or venture capital operating companies;

“(B) there is no single venture capital operating company that owns 50 percent or more of the business concern; and

“(C) there is no single venture capital operating company the employees of which constitute a majority of the board of directors of the business concern.

“(4) If a venture capital operating company controlled by a business with more than 500 employees (in this paragraph referred to as a ‘VCO under large business control’) has an ownership interest in a business concern that is owned in majority part by venture capital operating companies, the business concern is eligible to receive an award under the SBIR or STTR program only if—

“(A) not more than two VCOs under large business control have an ownership interest in the business concern; and

“(B) the VCOs under large business control do not collectively own more than 20 percent of the business concern.

“(5) The term ‘venture capital operating company’ means a business concern—

“(A) that—

“(i) is a venture capital operating company, as that term is defined in regulations promulgated by the Secretary of Labor; or

“(ii) is an entity that—

“(I) is registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.); or

“(II) is an investment company, as defined in section 3(a)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-3), that is not registered under such Act because of an exemption under paragraph (1) or (7) of section 3(c) of such Act; and

“(B) that is organized or incorporated and domiciled in the United States, or controlled by a business concern that is incorporated and domiciled in the United States.”

**SA 291.** Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. The Continuing Appropriations Act, 2011 (Public Law 111-242) is further amended—

(1) by striking the date specified in section 106(3) and inserting “April 15, 2011”;

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (section 1 of Public Law 112-6), the following new sections:

“SEC. 295. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development’ at a rate for operations of \$9,800,000.

“SEC. 296. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Aviation Administration—Facilities and Equipment’ at a rate for operations of \$2,927,500,000.

“SEC. 297. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development’ at a rate for operations of \$187,000,000.

“SEC. 298. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service’ at a rate for operations of \$1,000,000,000.

“SEC. 299. Notwithstanding section 101, amounts are provided for ‘Department of

Transportation—Federal Railroad Administration—Railroad Research and Development’ at a rate for operations of \$35,100,000.

“SEC. 300. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Transit Administration—Capital Investment Grants’ at a rate for operations of \$1,720,000,000.

“SEC. 301. Notwithstanding section 101, amounts are provided for ‘Department of Transportation—Federal Transit Administration—Research and University Research Centers’ at a rate for operations of \$64,200,000.

“SEC. 302. Notwithstanding section 101, amounts are provided for ‘Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund’ at a rate for operations of \$4,626,000,000.

“SEC. 303. Notwithstanding sections 101 and 226, amounts are provided for ‘Department of Housing and Urban Development—Community Planning and Development—Community Development Fund’ at a rate for operations of \$4,230,068,480, of which \$0 shall be for grants for the Economic Development Initiative (EDI), \$0 shall be for neighborhood initiatives, and \$0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111-117: *Provided*, That the second and third paragraphs under such heading in title II of division A of Public Law 111-117 shall not apply to funds appropriated by this Act.”

This Act may be cited as the “Further Additional Continuing Appropriations Amendments, 2011”.

#### NOTICE OF HEARING

##### COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 14, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing on S. 636, a bill to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; S. 703, the Helping Expedite and Advance Responsible Tribal Homeownership Act of 2011; and S. 546, the Little Shell Tribe of Chippewa Indians Restoration Act of 2011.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

#### UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that on Tuesday April 12, 2011, at 11 a.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 45 and 46; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time, Calendar No. 45 be confirmed, and the Senate proceed to vote, without intervening action or debate, on Calendar No. 46; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements be printed in the RECORD; that the President be immediately notified of the Senate’s action,

and the Senate then resume legislative session.

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

#### MEASURE READ THE FIRST TIME—S. 783

Mr. DURBIN. Mr. President, I understand there is a bill at the desk, and I 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 (S. 783) to provide an extension of time for filing individual income tax returns in the case of a Federal Government shutdown.

Mr. DURBIN. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provision of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read the second time on the next legislative day.

#### SIGNING AUTHORITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate majority whip be authorized to sign duly enrolled bills or joint resolutions on Friday, April 8, and Saturday, April 9.

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

#### ORDERS FOR TUESDAY, APRIL 12, 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the second half; further, at 11 a.m., the Senate proceed to executive session to consider Calendar No. 45, the nomination of Vincent Briccetti, of New York, to be U.S. District Judge for the Southern District of New York, and Calendar No. 46, the nomination of John Kronstadt, of California, to be U.S. District Judge for the Central District of California, as provided for under the previous order; finally, I ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings.

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