

of their programming, the producers of their programming, and how their programming reflects community interests; and, three, meet burdensome license renewal requirements.

The localism rule, had it been promulgated, would have meant that radio stations would have to comply with blanket regulations and broadcast programming that may not be commercially viable, rather than taking into account the diverse needs of communities across the country.

One of my constituents, Dan Lawrie, who is vice president and manager of Cox Radio Tulsa, and president of the Oklahoma Association of Broadcasters, stated that:

regulations requiring additional and unnecessary documentation of programming in order to show proof of broadcasting that we already provide to our local communities is entirely unnecessary. To burden our Tulsa radio group with this type of ascertainment documentation would cause us to lay off several staff members to offset the expense of completing the increased paperwork.

As you can see, this is a real threat to broadcast media as a whole.

Let's look at this from a market standpoint. I have often said: People who think maybe the content is too progressive or not progressive enough or too conservative—I have heard some pretty heated accusations made at various popular talk radio hosts—forget about the fact that this is market oriented. The market is determining how this should be. I can remember it was not too long ago—last year—I believe Senator HARKIN wanted to regulate the type of content that was going over the airwaves to our troops who were listening overseas, and we were able to stop that because they overwhelmingly wanted, in their eyes, conservative content to be broadcast. We won that one. But the effort is still out there.

Look at it from a market standpoint. Stations strive to endear themselves to the local community to be successful. It makes programming sense to cover local news and events because it increases the ratings. Why should Washington regulate what local stations are already doing? They are doing this now because people who listen to the radio may want to hear some talk show host, but you find right through intermingled within these comments, every 15 minutes or so, or every 10 minutes, they stop and tell what the local weather is, they tell of different activities, what is happening in the local community. They are doing this already. That is just good business sense, and that is why in the highly competitive environment we find our local radio stations, they have to do these things. They are already doing it.

The reason is this: These community advisory boards, or local content boards, coupled with the threat of license renewal requirements, are just one more way liberals can affect what is broadcast over the airwaves. They have created a regulatory avenue by which to accomplish their goal of silencing talk radio because they are in-

capable of competing in the broadcast radio market.

President Obama has expressed support for new localism regulations, and it is expected to come up again under his administration. All those who value their right to listen to the things that are important to them, and important to their community, must be aware of the great potential for infringement on free speech that localism will bring.

What is perhaps most concerning to me is the enforcement procedure for breaches of localism and diversity promotion. We simply do not know which pathway the FCC will choose when it comes time to enforce these nebulous regulations. License revocation is a real threat to the willingness of the broadcasters to appeal to their market rather than to conform to FCC regulations. Senator DURBIN's amendment requires affirmative action on the part of the FCC, stating: "The Commission shall take actions to encourage and promote diversity." It doesn't stipulate what actions or to what degree but instead leaves the enforcement mechanism up to the determination of the FCC. I find this to be extremely dangerous.

Any enforcement of Government regulation of the airwaves could have a serious detrimental effect, not only on talk radio but also on the willingness of Christian broadcasters to air political and perhaps even religious messages. It is well known that the only radio station ever taken off the airwaves was a Christian radio station, WGCB in Red Lion, PA. In that particular instance, the supposed offense was a personal attack against the author of a political publication. The ACLU and other liberal organizations could attempt to file lawsuits against anyone who presents a message that they deem to be counter to Federal localism and diversity regulation, and though I believe these lawsuits would ultimately fail on first amendment grounds, the chilling effect that the mere threat of a lawsuit will have on religious broadcasters could be substantial.

Free speech is fundamental to what it means to be an American, and we must protect it. Reimposing any form of a fairness doctrine threatens first amendment rights. Some on the left of the political spectrum are frustrated that more talk show hosts have conservative political leanings than liberal political leanings. In response, I say the content is market driven. When the market is on the other side, they will do that. The market has worked well throughout the history of this country, and people listen to it.

I think we are also forgetting about the fact that the broadcasting industry is very competitive. We have companies that own broadcast media. They are not making a lot of money. It is competitive. A lot of them go broke every year. What they are trying to do is come up with something they know people want and is sellable. They de-

pend on people buying advertisement for them to exist. So this is what this is all about. I believe there are two attacks out there. I applaud Senator DEMINT for the language he was able to get in, and I applaud all the Republicans and most of the Democrats for voting for it. But to turn around and pass something that undoes what he did with that amendment I think is something that needs to be looked at.

So I am concerned. I am concerned that so many of these stations out there that are right on the border of surviving in this very difficult economy we have are now looking at another threat, another bunch of regulations that are there, as well as the fear of the unknown, the nebulous language that says what a localism is, what power does the local community have. So that is a difficult thing.

I will only say to those individuals who think the problem of the fairness doctrine being reinvented is not over: It is there, and our first amendment rights are threatened at this time.

I would anxiously pursue any effort we can that is going to preclude the fairness doctrine, and I think the first thing we should do would be to rename the fairness doctrine because it is certainly not fair and not fair to the people in the broadcast industry.

SECRETARY OF STATE VISIT TO THE MIDDLE EAST

Mr. LIEBERMAN. Madam President, Secretary of State Hillary Clinton is in the Middle East this week on her first trip to the region as America's top diplomat. The Secretary traveled to Egypt earlier in the week to attend the international summit in Sharm El Sheikh, and she is now visiting Israel and the Palestinian Authority.

I rise to praise Secretary Clinton for the strong and principled diplomacy she has undertaken on America's behalf on this trip, that is as reflected in her comments, both prior to her departure from Washington and since arriving in the region.

Secretary Clinton is no stranger to the Middle East, having spent significant time there as First Lady and then as our colleague in the Senate. As a result, she brings a depth of familiarity with the Middle East's complexities and challenges, an appreciation for our friends and allies in the region, and a clear-eyed understanding of the interests and values that must guide American foreign policy there.

In particular, I believe Secretary Clinton deserves praise for her strong statements on this visit strengthening the forces of moderation in the Middle East and challenging the forces of extremism. Having recently returned from the region myself, I am convinced, with a clarity greater than ever before, that the true dividing line in the Middle East today is not between Arabs and Israelis or between Sunni Muslims and Shia Muslims. The true dividing line in the Middle East today is between moderates and extremists.

In every case, it is important to note, the extremist camp is sponsored and supported, often trained and equipped, by the Government of the Islamic Republic of Iran in Tehran.

Secretary Clinton deserves praise for her promise to vigorously promote peace between Israelis and Palestinians, as well as her recognition that success in this crucial effort is inseparably linked with strengthening the moderate forces among the Palestinians, in particular, the Secretary was absolutely correct to make clear that aid to the Palestinians should be directed toward bolstering the leaders of the Palestinian Authority, President Abbas and Prime Minister Fayyad, rather than directly or indirectly rewarding or supporting the extremist terrorist leaders of Hamas.

I am also pleased Secretary Clinton has made clear that any reconciliation between Hamas and Fatah must be contingent on Hamas accepting the conditions of the so-called Quartet; namely, that Hamas must renounce violence, recognize Israel's right to exist, and honor the agreements made by previous Palestinian Governments. There should be no compromise or confusion on this point by anyone. If the leaders of Hamas refuse to accept these conditions, they are dooming themselves to further isolation from the international community, and they are standing in the way of the aid that the world wants to provide the Palestinian people who live in Gaza.

Secretary Clinton, I believe, also deserves commendation for her realistic and hardheaded comments about the danger posed by the Government of the Islamic Republic of Iran. Our friends in the Middle East want to know that the U.S. Government understands this threat, that we are committed to taking the tough actions necessary to address it, and that whatever strategy we adopt, we will do so in real and close partnership with them.

What our friends and allies in the Middle East are asking of us is reasonable and very much in America's national security interest.

I will say that based on my recent visits to Saudi Arabia, Egypt, Israel, and the Palestinian Authority, I can attest that there is great anxiety in the region about Iran and its intentions, its aggressiveness, its extremism, its expansionism. But there is also some uncertainty about the direction of American policy toward the Government in Tehran.

The hard truth is that Iranians are determined to acquire nuclear weapons. Everything we know about what they are up to tells us that and, therefore, we must be even more determined than they if we are to stop them from obtaining nuclear weapons.

Our friends and allies in the Middle East are looking to the United States now for leadership and strength. President Obama and Secretary Clinton have been very clear that they are committed to preventing Iran from

going nuclear on their watch. We in Congress have a responsibility in turn to work together with the administration to achieve this result, which is so critical to our national security and to the world's security in the years ahead.

Again, I thank Secretary Clinton for her leadership, for her words, for her outreach, for her representation of America's best interests on this, her first trip to the Middle East.

SELECT COMMITTEE ON INTELLIGENCE RULES OF PROCEDURE

Mrs. FEINSTEIN. Madam President, paragraph 2 of Senate rule XXVI requires that not later than March 1 of the first year of each Congress, the rules of each committee shall be published in the RECORD.

In compliance with this provision, I ask that the rules of the Select Committee on Intelligence be printed in the RECORD.

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

RULES OF PROCEDURE OF THE SELECT COMMITTEE ON INTELLIGENCE

RULE 1. CONVENING OF MEETINGS

1.1. The regular meeting day of the Select Committee on Intelligence for the transaction of Committee business shall be every other Tuesday of each month, unless otherwise directed by the Chairman.

1.2. The Chairman shall have authority, upon notice, to call such additional meetings of the Committee as the Chairman may deem necessary and may delegate such authority to any other member of the Committee.

1.3. A special meeting of the Committee may be called at any time upon the written request of five or more members of the Committee filed with the Clerk of the Committee.

1.4. In the case of any meeting of the Committee, other than a regularly scheduled meeting, the Clerk of the Committee shall notify every member of the Committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, D.C. and at least 48 hours in the case of any meeting held outside Washington, D.C.

1.5. If five members of the Committee have made a request in writing to the Chairman to call a meeting of the Committee, and the Chairman fails to call such a meeting within seven calendar days thereafter, including the day on which the written notice is submitted, these members may call a meeting by filing a written notice with the Clerk of the Committee who shall promptly notify each member of the Committee in writing of the date and time of the meeting.

RULE 2. MEETING PROCEDURES

2.1. Meetings of the Committee shall be open to the public except as provided in paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate.

2.2. It shall be the duty of the Staff Director to keep or cause to be kept a record of all Committee proceedings.

2.3. The Chairman of the Committee, or if the Chairman is not present the Vice Chairman, shall preside over all meetings of the Committee. In the absence of the Chairman and the Vice Chairman at any meeting, the ranking majority member, or if no majority

member is present the ranking minority member present, shall preside.

2.4. Except as otherwise provided in these Rules, decisions of the Committee shall be by a majority vote of the members present and voting. A quorum for the transaction of Committee business, including the conduct of executive sessions, shall consist of no less than one third of the Committee members, except that for the purpose of hearing witnesses, taking sworn testimony, and receiving evidence under oath, a quorum may consist of one Senator.

2.5. A vote by any member of the Committee with respect to any measure or matter being considered by the Committee may be cast by proxy if the proxy authorization (1) is in writing; (2) designates the member of the Committee who is to exercise the proxy; and (3) is limited to a specific measure or matter and any amendments pertaining thereto. Proxies shall not be considered for the establishment of a quorum.

2.6. Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the Committee.

RULE 3. SUBCOMMITTEES

Creation of subcommittees shall be by majority vote of the Committee. Subcommittees shall deal with such legislation and oversight of programs and policies as the Committee may direct. The subcommittees shall be governed by the Rules of the Committee and by such other rules they may adopt which are consistent with the Rules of the Committee. Each subcommittee created shall have a chairman and a vice chairman who are selected by the Chairman and Vice Chairman, respectively.

RULE 4. REPORTING OF MEASURES OR RECOMMENDATIONS

4.1. No measures or recommendations shall be reported, favorably or unfavorably, from the Committee unless a majority of the Committee is actually present and a majority concur.

4.2. In any case in which the Committee is unable to reach a unanimous decision, separate views or reports may be presented by any member or members of the Committee.

4.3. A member of the Committee who gives notice of intention to file supplemental, minority, or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than three working days in which to file such views, in writing with the Clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report.

4.4. Routine, non-legislative actions required of the Committee may be taken in accordance with procedures that have been approved by the Committee pursuant to these Committee Rules.

RULE 5. NOMINATIONS

5.1. Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least 14 days before being voted on by the Committee.

5.2. Each member of the Committee shall be promptly furnished a copy of all nominations referred to the Committee.

5.3. Nominees who are invited to appear before the Committee shall be heard in public session, except as provided in Rule 2.1.

5.4. No confirmation hearing shall be held sooner than seven days after receipt of the background and financial disclosure statement unless the time limit is waived by a majority vote of the Committee.