

Nation's highest risk metropolitan areas, are increased by nearly \$50 million over last year.

I am also pleased that funding for SAFER grants, which assist local fire departments with the cost of hiring new firefighters, was doubled to \$420 million for fiscal year 2010. In this era of budget constraints, this funding will help ensure that communities are able to continue to staff their local fire houses. The Appropriations Committee has also wisely restored a significant portion of the funding cut from the President's budget for assistance to firefighter grants. These grants fund essential equipment, vehicles and training for firefighters. However, the \$380 million for these grants represents a cut of nearly one-third below the fiscal year 2009 appropriation.

Fourth, this bill wisely supports the administration's request for a significant increase in funding for cybersecurity at DHS, which has been identified as one of our top national security priorities. The Department needs resources to protect Federal civilian networks from cyber-related threats and to work with the private sector to protect their networks and infrastructures. The Homeland Security and Governmental Affairs Committee is currently working to develop legislation that strengthens the government's authorities with respect to cybersecurity, so this funding decision is particularly important.

This bill makes other essential homeland security investments in port security, transit security, science and technology, and biosecurity, all of which are critical to the overall security of the Nation.

I am concerned that the bill cuts funding for FEMA's main operating account, making it difficult for FEMA to continue implementing the critical improvements necessary for it to become, nearly 4 years after Hurricane Katrina, the "new FEMA."

Also, insufficient funding has been appropriated for the Secret Service to make necessary improvements to its information technology systems, and, in particular, to complete essential work to allow secure communications between the Secret Service's White House detail and its field office.

Despite these particular concerns, however, I believe that overall this is a strong and essential piece of legislation. I thank the leadership and the members of the Appropriations Committee for their work on this bill and strongly urge my colleagues to support its passage.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this has been a long day, but I appreciate everyone's cooperation. It has taken a long time to get to where we are. We set out this week to accomplish a few things, and with the cooperation of the Members, we have been able to do it. We don't have to vote tomorrow; we don't have to vote over the weekend. Our

first vote next week will be at 5:30 p.m. on the nomination of the Census Director, Mr. Groves. That is on cloture with Mr. Groves.

We are coming in at 10 a.m. tomorrow, but there will be no votes. Monday, we will be in at 11 a.m. Senators LEVIN and MCCAIN will begin managing the Defense Authorization bill, and we appreciate being able to start that. There are a lot of very big, important amendments on that bill.

Next week is the only disjointed week of this work period. As I indicated earlier, we will have no votes after 2 p.m. on Tuesday, and Friday has been long announced as a no-vote day, which means the following 3 weeks are going to be very grueling, and everyone should understand that.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are now moving to final passage on the Homeland Security Appropriations bill. I thank all our Senators, especially Senator VOINOVICH, for his cooperation. I want to thank all our staff members, and I will submit their names for the RECORD. I thank everyone for helping us move this bill forward.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I would be remiss if I didn't thank, first of all, the chairman of our subcommittee, ROBERT BYRD, for the cooperation he has shown me and his staff. I particularly thank Senator MURRAY. I think this is my first opportunity to do one of these bills on the floor of the Senate, and it has been an interesting experience for me.

I also particularly thank Chuck for his work, and my great staff here, because without them, we wouldn't have been able to get this job done. I thank all of you for your cooperation in making this all happen.

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Under the previous order, the substitute amendment, as amended, is agreed to.

The amendment (No. 1373), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill as amended, pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Mr. BURRIS), the Senator from West Virginia (Mr.

BYRD), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Vermont (Mr. LEAHY), the Senator from Rhode Island (Mr. REED), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Vermont (Mr. LEAHY), the Senator from Rhode Island (Mr. REED), and the Senator from West Virginia (Mr. ROCKEFELLER) would each vote "aye."

Mr. KYL. The following Senators are necessarily absent: the Senator from Missouri (Mr. BOND), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Florida (Mr. MARTINEZ).

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

The result was announced—yeas 84, nays 6, as follows:

[Rollcall Vote No. 229 Leg.]

YEAS—84

Akaka	Franken	Mikulski
Alexander	Gillibrand	Murkowski
Barrasso	Graham	Murray
Baucus	Grassley	Nelson (NE)
Begich	Gregg	Nelson (FL)
Bennet	Hagan	Pryor
Bennett	Harkin	Reid
Bingaman	Hatch	Risch
Boxer	Hutchison	Roberts
Brown	Inouye	Sanders
Brownback	Isakson	Schumer
Bunning	Johanns	Sessions
Cantwell	Johnson	Shaheen
Cardin	Kaufman	Shelby
Carper	Kerry	Snowe
Casey	Klobuchar	Specter
Chambliss	Kohl	Stabenow
Cochran	Kyl	Tester
Collins	Landrieu	Thune
Conrad	Lautenberg	Udall (CO)
Corker	Levin	Udall (NM)
Cornyn	Lieberman	Vitter
Crapo	Lincoln	Voinovich
Dorgan	Lugar	Warner
Durbin	McCaskill	Webb
Enzi	McConnell	Whitehouse
Feingold	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—6

Bayh	Coburn	Ensign
Burr	DeMint	McCain

NOT VOTING—10

Bond	Inhofe	Reed
Burris	Kennedy	Rockefeller
Byrd	Leahy	
Dodd	Martinez	

The bill (H.R. 2892), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

VOTE EXPLANATION

● Mr. REED. Mr. President, I was necessarily absent for tonight's votes on H.R. 2892, the Department of Homeland Security Appropriations Act, as I was attending a wake for a Rhode Island constituent. Had I been present for the vote on final passage, I would have voted in favor of this legislation.●

The PRESIDING OFFICER. Under the previous order, the Senate insists

on its amendment, requests a conference with the House, and the Chair appoints the following conferees.

The Presiding Officer appointed Mr. BYRD, Mr. INOUE, Mr. LEAHY, Ms. MIKULSKI, Mrs. MURRAY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. TESTER, Mr. SPECTER, Mr. VOINOVICH, Mr. COCHRAN, Mr. GREGG, Mr. SHELBY, Mr. BROWNBACK, and Ms. MURKOWSKI conferees on the part of the Senate.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and I move to lay that motion on the table on the last vote.

The motion to lay on the table was agreed to.

#### MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent the Senate proceed to morning business.

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

#### SUDAN ACCOUNTABILITY AND DIVESTMENT ACT

Mr. DODD. Mr. President, just before we left for the Fourth of July work period, U.S. diplomats hosted a forum in Washington to bring together representatives from 33 countries, a host of nongovernmental organizations, and others interested in Sudan. The purpose of the gathering was to reiterate their support for Sudan's 2005 Comprehensive Peace Agreement, CPA, and to develop an effective way forward on Sudan. During the forum, leaders from Sudan's southern region and the Khartoum Government agreed to a joint communiqué highlighting "the importance of credible, peaceful and transparent nationwide elections" in 2010 and to holding a referendum on the south's secession in 2011.

While this appears to be a positive step on north-south relations, like many of my colleagues, I remain deeply concerned about the situation in the south and about the policies of Sudanese President Omar Bashir in the Darfur region—policies that have led to the murder of hundreds of thousands of innocent people. So while I appreciate the significance of the communiqué I remain skeptical of the Khartoum Government's commitment to the north-south peace process, and to fair elections, and hope the Obama administration will maintain pressure on the government of President Bashir and hold that government accountable for a change in direction and real results. Following up on this event, I wish to discuss the Sudan Accountability and Divestment Act of 2007 and to update my colleagues on its recent implementation.

In October of 2007, after months of consulting with interested stakeholders, I was joined by Ranking Member SHELBY in introducing a bill that empowered our country's State and local governments to divest from companies with business operations in

Sudan. My colleagues, particularly Senators DURBIN and BROWNBACK, and I were very concerned about the ongoing violence in Sudan, especially in the southern and western regions such as Darfur where the Sudanese Government arms the militias which have ravaged communities and killed many innocent people. The international community has condemned President Omar Bashir for his role in authorizing this genocide, and he has been indicted by the International Criminal Court for these crimes. Given the developments in Sudan and a worsening situation there, we thought it was imperative that we help strengthen the growing movement in the United States of those interested in divesting from Sudanese businesses whose presence serves to bolster and support Sudan's Government, enabling its security forces, and those militias responsible to them, to continue to commit these atrocities.

By the time this bill was brought to the floor, 20 U.S. States had initiated some form of divestment from Sudanese firms, and divestment campaigns were underway in many other States. However, a Federal district court in Illinois had held the State's divestment law unconstitutional and permanently enjoined its enforcement. The Sudan Accountability and Divestment Act was written partly in response to these complications and designed to provide States and local governments, as well as businesses and investors, the authority and legal framework to proceed with divestment. The Senate passed the bill by unanimous consent, the House took it up and adopted it several days later, and the President signed it into law on December 31, 2007.

The law was deliberate in targeting four specific economic sectors widely recognized as key sources of revenue for the Sudanese Government: oil, power production, minerals, and military equipment. According to one former Sudanese Finance Minister, 70 percent of the Khartoum Government's share of oil profits was spent on military equipment used to bolster militias like the janjaweed.

According to the Sudan Divestment Task Force, since the enactment of our legislation, five more States have passed divestment laws targeting Sudan, with many State and local retirement funds divesting hundreds of millions of dollars in assets. Four States have prohibited contracting with corporations that provide support to the Sudanese Government, demonstrating broad-based support for the divestment movement.

The law also serves to enable acts of conscience in the private sector, allowing businesses and investors the right to divest from Sudan-related assets without violating their normal fiduciary responsibilities. The number of universities, companies, and investment funds, as well as international and religious organizations, engaged in divestment is growing. For example,

shareholders of Vanguard and Fidelity funds and pensioners from TIAA-CREF recently assembled to ask their managers to withdraw investments from Sudan.

Finally, the act requires Federal Government contractors to certify that they are not conducting business operations in Sudan that bolster the Sudanese Government's capabilities. This provision was meant to ensure that U.S. taxpayers' money is not aiding, even indirectly, a regime that systematically murders its own population. Even so, some critics have suggested that the law's implementation at the Federal level has come up short, particularly regarding limits on U.S. Government procurement. It is critical that the U.S. Government enforces a fair and appropriate certification process on companies that are conducting certain business sanctionable under the act. Additionally, updated information must be maintained by relevant contracting agencies. Such a process requires a concerted, interagency effort, not an ad hoc approach. Some work remains to be done to coordinate such a policy. I have been in contact with various Federal agencies to address these concerns and will continue to work with them to get this right.

Meanwhile, various nonprofit organizations such as the U.S.-based Genocide Intervention Network and its newly initiated Conflict Risk Network are providing innovative solutions to investors who feel motivated to divest out of moral and prudential obligations. Thanks to such efforts, investors can make well-informed assessments of Sudan's conflict zones and understand the political and reputational risks associated with investments in Sudan. Moreover, States and local governments now have more credible information on which to base their divestment decisions. Save Darfur, another nonprofit organization, continues to educate millions of people around the world about the ongoing atrocities in Sudan and provides activists with effective tools and resources. Others are following suit.

In the end, these efforts are being made to maintain pressure on the Sudanese Government and to effect positive change there. But much work remains to be done. Actions, not words, must be the true test of progress there.

As State and local governments, businesses, and private investors continue to press the government in Khartoum through their divestment efforts, they should be applauded. But we must maintain the pressure and closely monitor the situation. And the Obama administration must stay actively and assertively involved. The President understands this, and I am pleased that he has appointed a new special envoy to Sudan, retired general Jonathan Scott Gration, to coordinate U.S. policy on Sudan. I look forward to working with him on these important issues. I hope that the many ways the international community is seeking to