



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, FRIDAY, JUNE 25, 2010

No. 97

## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JEFF MERKLEY, a Senator from the State of Oregon.

### PRAYER

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

Let us pray.

O God, our provider, we come to You in our weakness, seeking Your mercy and help. Give us this day the mercy and grace of Your love that we may become all You desire us to be. Empower our lawmakers to accept Your guidance, cherish Your precepts, and obey Your word. Keep them walking in the way everlasting. Strengthen them so to run that they may reach their goal. Enable them so to strive that they may win the victor's crown. Prepare them so to keep the faith that they may endure to the very end.

We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable JEFF MERKLEY, 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 25, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mr. MERKLEY thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume consideration of the motion to proceed to H.R. 5297, the small business jobs bill. There will be no rollcall votes today. Senators should expect the next votes to occur Monday around 5:30.

### MEASURES PLACED ON THE CALENDAR—H.R. 5481 AND H.R. 5551

Mr. REID. I have been told there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 5481) to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.

A bill (H.R. 5551) to require the Secretary of the Treasury to make a certification when making purchases under the Small Business Lending Fund Program.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar under rule XIV.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### DISAPPOINTED AMERICANS

Mr. REID. Mr. President, today there are about 1 million people in America who are terribly disappointed at what took place yesterday—1 million people. That is 1 million in one category. There are hundreds and hundreds of thousands of others who are disappointed because of different things done to them yesterday as a result of the Republicans not supporting legislation. It was fully paid for.

The statements made by Republicans after this bill was rejected by them are simply without any fact.

There were efforts made to work with Republicans. We cut the size of the bill. We paid even for things we had never paid for before. We decided to do that in an effort to get help for millions of Americans.

One of the things we paid for was something called FMAP, which is money we would direct to the States that they could use for police, fire, teachers, nurses—to stop layoffs from taking place there. That was rejected.

There are numerous editorials around the country rejecting what the Republicans did yesterday, and there are headlines in virtually every newspaper of America:

LA Times: "Senate GOP Blocks Jobless Aid Extension."

Business Week: "Republicans Thwart Bill With Unemployment Aid, Buyout Tax Boost."

Boston Globe: "Filibuster Halts Bill Boosting Jobless Benefits, Aid to States."

McClatchy Newspapers: "GOP Blocks Jobless-Benefit Extension Breaks."

USA TODAY: "Senate GOP Again Blocks Bill Extending Jobless Benefits, Tax Breaks."

Those tax breaks were for middle-class Americans.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S5459

The Seattle Times: “Republicans Continue Blockade of Federal Aid Bill.”

The Republicans in the Senate have made the decision to do everything they can to turn the country upside down, to do everything they can to stop any economic recovery because they think it may help Barack Obama, it may help some of their people trying to run for Senate seats around the country. So they figure, as bad as they can make the economy, the better off they will be.

That is a pretty difficult view for people who are Senators. The Presiding Officer is a Senator from the State of Oregon, and that is his prime responsibility, to take care of that State. But, also, as a United States Senator, he has to be concerned with what goes on in the other 49 States. That is our job, that is our role, that is the way we were constitutionally designated.

The bill they rejected yesterday creates jobs. As the headlines say, it closes corporate loopholes. The bill yesterday that was rejected by the Republicans would stop jobs from being outsourced from American companies getting tax breaks by creating jobs overseas. Those jobs should be created here. That was rejected by the Republicans.

The bill that was before the Senate was a bill that would help small businesses grow and allow them to hire once again, to be the engine that runs our country. Big businesses should not be rewarded for shipping jobs overseas when there are so many at home desperate for a paycheck.

I have read a number of these stories. They are heartbreaking. I read the Nevada clips today. There was a statement from one man there in effect saying: What is going on back there? This is not a partisan game. I need money to take care of my family. I need my unemployment check. I have tried to find work. I can't find work.

But that had no bearing on the Republicans yesterday because they, as we learned in the health care debate, want everything that Obama does to be his Waterloo. Everything in this bill was paid for with the exception of unemployment compensation—about which there has always been a bipartisan recognition it is an emergency or they wouldn't be asking for unemployment benefits.

The Republicans were even unwilling to allow us to bring up the bill for debate. They wanted to stop debate, stop further discussion of this bill. We could not invoke cloture to allow the debate to go forward. Every Republican voted against it.

I was surprised by statements of some coming to the floor afterward to say: Yes, but I was in favor of the unemployment benefits.

Let's be clear about all the good things a “yes” vote enables our country to do with this legislation. It would have allowed the Senate to pass this. It could have gone to the President for

signature. A “no” vote stopped us from doing things to help regular guys on the street, people who are desperate for help.

Think of this one: The extension of a tax deduction for tuition. There are young men and women all over America today getting excited about going to school or going back to school. Because of what was done by the Republicans yesterday, there will be young men and women unable to go to school. They are going to have to stay out until the economy gets better, until their dad gets a job and mom gets a job because the tuition tax deduction is not going to be around. What a disappointed group of young men and women we are going to have. As sad as it is, some of those kids will never go to college because of this.

This legislation has allowed tax benefits for working men and women of this country, allowed for a deduction for property taxes. We didn't do it yesterday. It is not available now.

Teachers around America would have been able to deduct, with their income tax, not much—\$250 a year to get a tax credit for the pencils and paper and stuff they buy every year.

As you know, having been around teachers, as we all have, they spend lots of their own money for supplies for the kids. Yesterday, the Republicans took that small \$250-a-year deduction away from these teachers, all teachers.

Build America Bonds. Reading the Nevada clips today, because those monies are shrinking, there are not as many people making application for those Build America Bonds programs. This has been such a stimulus for our country since we passed that in the economic recovery act. And we are running out of money there. The bill yesterday would have provided \$4 billion, all paid for—no running up the deficit, all paid for. That was rejected by the Republicans. They said no. That \$4 billion would have multiplied into many more dollars because if you have a contract worth \$2 or \$3 million, people go to work, they can buy groceries, they can buy shoes. It stimulates the businesses all over the community. But the Republicans said no to that.

State and local governments are begging for these moneys. Infrastructure is down. We need to do water and sewer projects, street projects. But the Republicans said no.

Legislation was rejected yesterday on an extension of the small business lending provisions that would provide low-cost loans to small businesses. The Republicans yesterday unanimously said no.

The bill provided \$2½ billion for State wage assistance programs. Starting in the Clinton administration, there was always talk by the Republicans and by everybody—not just the Republicans—about shouldn't we do more than provide welfare to people? Shouldn't we provide a way that, if they are on welfare, they can go to work? That is what this money is

about. Those programs have been terminated, programs that have worked so well to have people go from welfare to work. Yesterday, the Republicans said no unanimously; let them stay on welfare; they do not need to learn how to work; they do not need to transfer to a job.

This legislation that was rejected yesterday provided tax credits for research and development. A lot of companies, especially small companies, cannot do the research and development they need to do unless they get some kind of a tax incentive to do it. It will not be done.

This bill provided \$5 billion—all paid for—in new market tax credits. What this meant is that investments could be made in economically distressed areas. They exist in Oregon. They exist in Nevada. They are going to continue to exist without any improvement because of the rejection by the Republicans yesterday.

Everything I have talked about creates jobs, and to have the Republicans come to the floor and say: We reject it because of the cost—it was rejected because they do not believe that middle-class America deserves a break; that all of the breaks should go to the fat cats.

Right now, as a result of the Republicans rejecting this legislation, someone who is working for minimum wage will continue to pay more taxes percentage-wise than Warren Buffet or one of the multibillionaires on Wall Street. They will pay more of a percentage of their income than one of those very rich people.

In this legislation, we had a provision to extend the first-time home buyers tax credit so that people who already qualified can buy a home—rejected. They even rejected a provision we had in this legislation so that someone who is called away to fight in Afghanistan or Iraq—we had a provision in this bill to allow them to make up the difference between their military pay and the pay in their job so they would not lose their home, as they have done, and put a tremendous burden on spouses left at home.

One thing my friends on the other side of the aisle should be very proud of is they protected corporate interests yesterday. They did that big time. They are betting on our country to fail. That is a sad commentary.

We are going to continue. A bill is on the floor now. It is another bill to create jobs, small-business job creation. We have worked hard to get that done—Senator LANDRIEU, Senator BAUCUS, Small Business, Finance—and we will have a vote on that Monday. Again, it is being blocked by the Republicans, blocking us from even going to it. So we will need 60 votes Monday to allow us to debate whether this country needs small businesses to create jobs. We should be on that bill today so people could start offering amendments and do something productive. But, no, what will happen on Monday is they will probably vote for it,

and then they will get the 30 hours to sit around and look at each other and do nothing. That is what the rules of the Senate allow. So they have accomplished more of their wasting time to prevent the Obama administration and the rest of us from accomplishing something good for the country. We are going to continue to try. We have to do that in spite of the obstructionism of the Republicans.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### SMALL BUSINESS LENDING FUND ACT OF 2010—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 5297, which the clerk will report by title.

The bill clerk read as follows:

Motion to proceed to the consideration of H.R. 5297, a bill 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.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 962, the nomination of John Pistole to be Assistant Secretary of Homeland Security; that the nomination be confirmed, the motion to reconsider be laid upon the table; that any statements relating to the nomination be printed in the RECORD as if read; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

#### DEPARTMENT OF HOMELAND SECURITY

John S. Pistole, of Virginia, to be an Assistant Secretary of Homeland Security.

#### LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will now return to legislative session.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators allowed to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MESSAGE FROM THE HOUSE

At 10:50 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 285. Concurrent resolution recognizing the important role that fathers play in the lives of their children and families and supporting the goals and ideals of designating 2010 as the Year of the Father.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 5481. An act to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.

H.R. 5551. An act to require the Secretary of the Treasury to make a certification when making purchases under the Small Business Lending Fund Program.

#### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, June 25, 2010, she had presented to the President of the United States the following enrolled bills and joint resolution:

S. 1660. An act to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 2865. An act to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes.

S.J. Res. 32. Joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

H.R. 908. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3539. A bill to amend the Federal Water Pollution Control Act to establish a grant program to assist in the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself and Mr. LUGAR):

S. Res. 566. A resolution expressing the sense of the Senate regarding the situation in Kyrgyzstan; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 546

At the request of Mr. REID, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 3043

At the request of Mrs. GILLIBRAND, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3043, a bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3539. A bill to amend the Federal Water Pollution Control Act to establish a grant program to assist in the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise on behalf of myself and Senator BOXER to introduce legislation to further the restoration of the San Francisco Bay.

There are many areas in the country in with restoration is done, and I am pleased to introduce an authorization for restoration work in the San Francisco Bay with Senator BOXER, Chairwoman of the Senate Environment and Public Works Committee, and to work with our colleague Representative SPEIER in the U.S. House of Representatives.

As an appropriator, and Chair of the Appropriations Subcommittee on Interior, Environment, and Related Agencies, I have secured \$17 million in Federal funding for ecosystem restoration and water quality work in the San Francisco Bay in the last 3 years. I have also secured \$15 million since 2006 for the Fish and Wildlife Service to restore salt ponds to tidal wetlands in the Bay.

It is necessary to ensure that these funds continue to be appropriated and are spent on the most important projects for the ecosystem and public benefit.

To that end, this legislation will prioritize funding for projects that will protect and restore vital estuarine habitat for migratory waterfowl, shorebirds, and wildlife; improve and restore water quality and rearing habitat for fish; and ensure public benefits.

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. 3539

*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 "San Francisco Bay Restoration Act".

#### SEC. 2. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

##### "SEC. 123. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

"(a) GRANT PROGRAM.—

"(1) IN GENERAL.—The Administrator may provide grants to State and local agencies, and public or nonprofit agencies, institutions, and organizations, for ecosystem restoration projects and habitat improvement for fish, waterfowl, and wildlife, in accordance with the priorities described in the comprehensive management plan for the San Francisco estuary developed under section 320.

"(2) MAXIMUM AMOUNT OF GRANTS; NON-FEDERAL SHARE.—

"(A) MAXIMUM AMOUNT OF GRANTS.—A grant provided to any individual or entity under this section for a fiscal year shall not exceed an amount equal to 50 percent of the total cost of eligible activities that are to be carried out using funds from the grant.

"(B) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any eligible activities that are carried out using funds from a grant provided under this section shall be—

"(i) not less than 50 percent; and

"(ii) provided from non-Federal sources.

"(b) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section such sums as are necessary for each of fiscal years 2011 through 2020.

"(2) ADMINISTRATIVE EXPENSES.—Of the amount made available to carry out this section for a fiscal year, the Administrator shall use not more than 5 percent to pay administrative expenses incurred in carrying out this section."

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 566—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE SITUATION IN KYRGYZSTAN

Mr. KERRY (for himself and Mr. LUGAR) submitted the following resolution; which was considered and agreed to:

S. RES. 566

Whereas on June 10, 2010, violence erupted between ethnic Kyrgyz and Uzbek communities in the southern city of Osh, Kyrgyzstan, and later spread to the city of Jalalabad, leaving at least several hundred dead and thousands injured;

Whereas the outbreak of violence forced as many as 400,000 people to flee their homes, including an estimated 100,000 women and children who face desperate conditions along the Kyrgyzstan-Uzbekistan border;

Whereas the United Nations Children's Fund (UNICEF) and other United Nations agencies estimate that the violence could directly or indirectly affect more than 1,000,000 people;

Whereas the displacement of ethnic Uzbeks and continuing instability in the southern part of Kyrgyzstan could destabilize the Provisional Government of Kyrgyzstan and undermine the legitimacy of the referendum on constitutional reform scheduled for June 27, 2010;

Whereas the Provisional Government of Kyrgyzstan, which came to power in April 2010 following large-scale opposition protests against the regime of former president Kurmanbek Bakiyev, has yet to fully extend its authority in the south and build the capacity necessary to address underlying political, social, and economic tensions;

Whereas Kyrgyz and Uzbeks in Osh have retreated into largely self-segregated neighborhoods, creating the potential for a permanent division into ethnic enclaves that could impede the delivery of humanitarian assistance and jeopardize the long-term stability of the country;

Whereas rioting and violence in southern Kyrgyzstan could spread to other areas in the Ferghana Valley, which spans the countries of Kyrgyzstan, Uzbekistan, and Tajikistan, and further exacerbate inter-ethnic competition for resources in the region;

Whereas protracted instability in Kyrgyzstan and the wider region could provide a safe haven for extremists and criminal networks and obstruct efforts to combat the drug trade;

Whereas stability in Kyrgyzstan and the broader Central Asia region, which borders Afghanistan, Iran, China, and Russia, is important to the national security interests of the United States;

Whereas Central Asia plays a vital role in the United States strategy for Afghanistan, including the transit center at Manas International Airport in Kyrgyzstan that forms an integral part of the northern supply route for North Atlantic Treaty Organization and United States-led coalition operations in Afghanistan;

Whereas promoting stability, respect for human rights, and economic and political reform in Central Asia are important priorities for the United States;

Whereas economic growth and democratic political development in Central Asia would provide a foundation for improved cooperation with the United States in confronting an array of global challenges, from non-proliferation and counter-narcotics to energy security and climate change; and

Whereas the potential for escalating violence in Kyrgyzstan concerns not only the United States and the people of Kyrgyzstan, but also the countries in the region and the international community: Now, therefore, be it

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

(1) to call upon all parties in Kyrgyzstan to refrain from violence and attend to the civilians who have been displaced or injured as a result of the violence, paying particular attention to the ethnic Uzbek population along the Kyrgyzstan-Uzbekistan border;

(2) that the Provisional Government of Kyrgyzstan should—

(A) take immediate steps to restore order, the rule of law, and the democratic process;

(B) address the underlying political, social, and economic tensions that divide Kyrgyz society for all citizens of Kyrgyzstan, regardless of ethnic background; and

(C) bring to justice those responsible for the recent violence;

(3) to support calls for a full and fair investigation into the causes of the violence in southern Kyrgyzstan;

(4) to welcome the commitment of more than \$32,000,000 of the United States Government to Kyrgyzstan for programs supporting humanitarian relief, reconstruction, and community stabilization;

(5) to commend the Government of Uzbekistan for cooperating with the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, UNICEF, and other international non-governmental organizations in meeting the urgent needs of Uzbek refugees;

(6) that the Government of Uzbekistan should maintain an open border in order to ensure that the displaced and vulnerable populations seeking refuge in Uzbekistan may avail themselves of emergency humanitarian assistance and protection services;

(7) to call upon the Organization for Security and Cooperation in Europe to help restore calm and order through—

(A) strengthening the democratic institutions of Kyrgyzstan;

(B) encouraging respect for human rights and fundamental freedoms;

(C) establishing a framework for dialogue among the ethnic communities; and

(D) promoting confidence building measures between the Provisional Government of Kyrgyzstan and ethnic communities; and

(8) to commend the efforts of relief organizations and all persons responding to the immediate humanitarian needs of those displaced by the recent outbreak of violence in Kyrgyzstan.

#### PERMANENT RADIO FREE ASIA AUTHORIZATION ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 439, S. 3104.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3104) to permanently authorize Radio Free Asia, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. FINDINGS.**

Congress finds the following:

(1) Radio Free Asia (referred to in this Act as "RFA")—

(A) was authorized under section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208);

(B) was incorporated as a private, non-profit corporation in March 1996 in the hope that its operations would soon be obviated by the global advancement of democracy; and

(C) is headquartered in Washington, DC, with additional offices in Bangkok, Hong Kong, Phnom Penh, Seoul, Ankara, and Taipei.

(2) RFA broadcasts serve as substitutes for indigenous free media in regions lacking free media outlets.

(3) The mission of RFA is "to provide accurate and timely news and information to Asian countries whose governments prohibit access to a free press" in order to enable informed decision-making by the people within Asia.

(4) RFA provides daily broadcasts of news, commentary, analysis, and cultural programming to Asian countries in several languages, including—

(A) 12 hours per day in Mandarin;

(B) 8 hours per day in 3 Tibetan dialects, Uke, Kham, and Amdo;

(C) 4 hours per day in Korean and Burmese;

(D) 2 hours per day in Cantonese, Vietnamese, Laotian, Khmer (Cambodian), and Uyghur; and

(E) 1½ hours per week in Wu (local Shanghai dialect).

(5) The governments of the countries targeted for these broadcasts have consistently denied and blocked attempts at Medium Wave and FM transmissions into their countries, forcing RFA to rely on Shortwave broadcasts and the Internet.

(6) RFA has provided continuous online news to its Asian audiences since 2004, although some countries—

(A) routinely and aggressively block RFA's website;

(B) monitor access to RFA's website; and

(C) discourage online users by making it illegal to access RFA's website.

(7) Despite these attempts, RFA has successfully managed to reach its online audiences through proxies, cutting-edge software, and active republication and repostings by its audience.

(8) RFA also provides forums for local opinions and experiences through message boards, podcasts, web logs (blogs), cell phone-distributed newscasts, and new media, including Facebook, Flickr, Twitter, and YouTube.

(9) Freedom House has documented that freedom of the press is in decline in nearly every region of the world, particularly in Asia, where none of the countries served by RFA have increased their freedom of the press during the past 5 years.

(10) In fiscal year 2010, RFA is operating on a \$37,000,000 budget, less than \$400,000 of which is available to fund Internet censorship circumvention.

(11) Congress currently provides grant funding for RFA's operations on a fiscal year basis.

**SEC. 2. SENSE OF THE SENATE.**

It is the sense of the Senate that—

(1) public access to timely, uncensored, and accurate information is imperative for promoting government accountability and the protection of human rights;

(2) Radio Free Asia provides a vital voice to people in Asia;

(3) some of the governments in Asia spend millions of dollars each year to jam RFA's shortwave, block its Internet sites;

(4) Congress should provide additional funding to RFA and the other entities overseen by the Broadcasting Board of Governors for—

(A) Internet censorship circumvention; and

(B) enhancement of their cyber security efforts; and

(5) permanently authorizing funding for Radio Free Asia would—

(A) reflect the concern that media censorship and press restrictions in the countries served by RFA have increased since RFA was established; and

(B) send a powerful signal of our Nation's support for free press in Asia and throughout the world.

**SEC. 3. PERMANENT AUTHORIZATION FOR RADIO FREE ASIA.**

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) in subsection (c)(2), by striking " , and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2010";

(2) by striking subsection (f);

(3) by redesignating subsections (g) and (h) as subsection (f) and (g), respectively; and

(4) in subsection (f), as redesignated—

(A) by striking "The Board" and inserting the following:

"(1) NOTIFICATION.—The Board";

(B) by striking "before entering" and inserting the following: "before—

"(A) entering";

(C) by striking "Radio Free Asia." and inserting the following: "Radio Free Asia; or

"(B) entering into any agreements in regard to the utilization of Radio Free Asia transmitters, equipment, or other resources that will significantly reduce the broadcasting activities of Radio Free Asia.";

(D) by striking "The Chairman" and inserting the following:

"(2) CONSULTATION.—The Chairman"; and

(E) by inserting "or Radio Free Asia broadcasting activities" before the period at the end.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

**REGARDING KYRGYZSTAN**

Mr. REID. Mr. President, I ask unanimous consent to proceed to the consideration of S. Res. 566.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 566) expressing the sense of the Senate regarding the situation in Kyrgyzstan.

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

Mr. REID. Mr. 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 that any statements relating to the resolution be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 566) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 566

Whereas on June 10, 2010, violence erupted between ethnic Kyrgyz and Uzbek communities in the southern city of Osh, Kyrgyzstan, and later spread to the city of Jalalabad, leaving at least several hundred dead and thousands injured;

Whereas the outbreak of violence forced as many as 400,000 people to flee their homes, including an estimated 100,000 women and children who face desperate conditions along the Kyrgyzstan-Uzbekistan border;

Whereas the United Nations Children's Fund (UNICEF) and other United Nations agencies estimate that the violence could directly or indirectly affect more than 1,000,000 people;

Whereas the displacement of ethnic Uzbeks and continuing instability in the southern part of Kyrgyzstan could destabilize the Provisional Government of Kyrgyzstan and undermine the legitimacy of the referendum on constitutional reform scheduled for June 27, 2010;

Whereas the Provisional Government of Kyrgyzstan, which came to power in April 2010 following large-scale opposition protests against the regime of former president Kurmanbek Bakiyev, has yet to fully extend its authority in the south and build the capacity necessary to address underlying political, social, and economic tensions;

Whereas Kyrgyz and Uzbeks in Osh have retreated into largely self-segregated neighborhoods, creating the potential for a permanent division into ethnic enclaves that could impede the delivery of humanitarian assistance and jeopardize the long-term stability of the country;

Whereas rioting and violence in southern Kyrgyzstan could spread to other areas in the Ferghana Valley, which spans the countries of Kyrgyzstan, Uzbekistan, and Tajikistan, and further exacerbate inter-ethnic competition for resources in the region;

Whereas protracted instability in Kyrgyzstan and the wider region could provide a safe haven for extremists and criminal networks and obstruct efforts to combat the drug trade;

Whereas stability in Kyrgyzstan and the broader Central Asia region, which borders Afghanistan, Iran, China, and Russia, is important to the national security interests of the United States;

Whereas Central Asia plays a vital role in the United States strategy for Afghanistan, including the transit center at Manas International Airport in Kyrgyzstan that forms an integral part of the northern supply route for North Atlantic Treaty Organization and United States-led coalition operations in Afghanistan;

Whereas promoting stability, respect for human rights, and economic and political reform in Central Asia are important priorities for the United States;

Whereas economic growth and democratic political development in Central Asia would provide a foundation for improved cooperation with the United States in confronting an array of global challenges, from non-proliferation and counter-narcotics to energy security and climate change; and

Whereas the potential for escalating violence in Kyrgyzstan concerns not only the United States and the people of Kyrgyzstan, but also the countries in the region and the international community: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) to call upon all parties in Kyrgyzstan to refrain from violence and attend to the civilians who have been displaced or injured as a result of the violence, paying particular attention to the ethnic Uzbek population along the Kyrgyzstan-Uzbekistan border;

(2) that the Provisional Government of Kyrgyzstan should—

(A) take immediate steps to restore order, the rule of law, and the democratic process;

(B) address the underlying political, social, and economic tensions that divide Kyrgyz society for all citizens of Kyrgyzstan, regardless of ethnic background; and

(C) bring to justice those responsible for the recent violence;

(3) to support calls for a full and fair investigation into the causes of the violence in southern Kyrgyzstan;

(4) to welcome the commitment of more than \$32,000,000 of the United States Government to Kyrgyzstan for programs supporting humanitarian relief, reconstruction, and community stabilization;

(5) to commend the Government of Uzbekistan for cooperating with the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, UNICEF, and other international non-governmental organizations in meeting the urgent needs of Uzbek refugees;

(6) that the Government of Uzbekistan should maintain an open border in order to ensure that the displaced and vulnerable populations seeking refuge in Uzbekistan may avail themselves of emergency humanitarian assistance and protection services;

(7) to call upon the Organization for Security and Cooperation in Europe to help restore calm and order through—

(A) strengthening the democratic institutions of Kyrgyzstan;

(B) encouraging respect for human rights and fundamental freedoms;

(C) establishing a framework for dialogue among the ethnic communities; and

(D) promoting confidence building measures between the Provisional Government of Kyrgyzstan and ethnic communities; and

(8) to commend the efforts of relief organizations and all persons responding to the immediate humanitarian needs of those displaced by the recent outbreak of violence in Kyrgyzstan.

---

ORDER FOR RECORD TO REMAIN  
OPEN

Mr. REID. Mr. President, I ask unanimous consent that the RECORD remain open until 12 noon for the purpose of the introduction of legislation, the insertion of statements, and any cosponsors, notwithstanding an adjournment of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

---

ORDERS FOR MONDAY, JUNE 28,  
2010

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, June 28; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that following any leader remarks, the Senate proceed to a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 5297.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, under a previous order, at 5 p.m. on Monday, the Senate will proceed to executive session to debate the nomination of Gary Feinerman to be United States District Judge for the Northern District of Illinois, with the time until 5:30 p.m. equally divided and controlled between Senators LEAHY and SESSIONS or their designees.

At 5:30 p.m., there will be two rollcall votes. The first vote will be on the motion to invoke cloture on the motion to proceed to H.R. 5297; the second vote will be on confirmation of the Feinerman nomination.

---

ADJOURNMENT UNTIL MONDAY,  
JUNE 28, 2010, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 11:04 a.m., adjourned until Monday, June 28, 2010, at 2 p.m.

---

CONFIRMATION

Executive nomination confirmed by the Senate, Friday, June 25, 2010:

DEPARTMENT OF HOMELAND SECURITY

JOHN S. PISTOLE, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY.

The above nomination was approved subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.