

part of an economic stimulus package. I also asked that he consider these partnerships that we have seen work so well in our State, and that matching grants on the Federal level to work with the local communities would be one way to spur broadband development.

I finally asked him to look at the fact that this is not just about communities that have no access, it is also about communities that have bad access or slow access or too expensive access. If we really want to get the broadband infrastructure in place, we have to make it work for everyone, just as what Dwight D. Eisenhower did with the highway system in the 1950s, and just as President Roosevelt did with rural electrification in the 1930s and 1940s.

I believe any economic stimulus package must include mechanisms designed to bring affordable and fast broadband to this country. An economic stimulus package should fully fund the Broadband Data Improvement Act, which I cosponsored and which passed last Congress.

Any economic stimulus package, as I mentioned, must also fund matching grants for community-level partnerships that demonstrate strong cooperation among local governments, businesses, schools, health care, and others.

Finally, one aspect of the Nation's information infrastructure that may continue to elude us absent some type of Federal involvement is the creation of an advanced, interoperable communications network for public safety.

I still remember hearing when one of our police officers was shot and killed in St. Paul, MN, how those who were trying to apprehend the person, the murderer in this case, were trying to communicate. When they were up in the helicopter, they literally had to have multiple walkie talkies and telephones, sometimes six or seven, to try to match up with all the phone systems that were in use across the area.

Well, since then we have had improvements in the large metropolitan area of the Twin Cities in our interoperability, but we do not have that kind of matching and that kind of cooperation in the rural parts of our State, nor do we have it across the country.

The first responsibility of government is to protect its citizens. The fact that our Nation's police, fire, and other first responders, including those in our rural areas, still do not have access to such a network more than 7 years after the tragic events of September 11 is simply unacceptable. I believe consideration of this issue in the context of broadband stimulus measures may present the best chance to address this continuing problem.

I join the President-elect and so many in this Senate in calling for 21st-century technology to create jobs and help our economy be more robust and competitive in the long term. This is

about creating immediate jobs, and we can get that with technological infrastructure. But it is also about creating jobs in a way that leaves us with something that will actually move this economy forward.

This technological infrastructure, whether it be the electricity grid or whether it be the broadband I have spoken about today, is really our rural electrification. It is our interstate highway program. It is our generation's chance to build this infrastructure in a way that will fit the changing needs of this country and allow us to compete on the world stage.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO SENATOR ROBERT BYRD

Mr. LEAHY. Madam President, I couldn't help thinking today, as we were sitting in our weekly caucus—that the senior member of our party here in the Senate and the most senior Member of the Senate, and the senior Senator from West Virginia, the distinguished ROBERT C. BYRD, has now served 50 years which is an all time record as the longest serving Senator in our country.

I have had the privilege of serving beside Senator BYRD for 34 years and am proud to call him a very good friend. When I first came to the Senate as a new Member, it was ROBERT BYRD who took me aside and talked to me about the rules of the Senate. Senator BYRD took the time to speak about the rules and history of the Senate, but he also talked about the customs, and practices of this body. He spoke of the way you treat each other, and how you treat members of the other party. He also explained the customary order of recognition, the kinds of courtesies you use and the importance of taking into consideration the needs of another Senator.

Senator BYRD and I have sat here through inaugurations of Presidents, and we have traveled together to funerals of colleagues with whom we have served. His late wife, Erma, and my wife, Marcelle, were friends and would often ride together down to the Senate for Senate gatherings. I know I would always enjoy running into Erma and BOB in the grocery store in McLean, VA. After a while, we would tend to forget what it was we had gone to the store for because we would be catching up on the news of the Senate. Throughout it all, BOB BYRD has always had that great sense of what it means to be a Senator.

I said many times on the floor of this Senate that there are only 100 of us

who have the privilege at any given time to serve here and the American people. BOB BYRD has always understood that better than most of us ever will. We can be and should be the conscience of the Nation.

We are, above all, a Senate of reasonable men and women who live by very specific rules, and we hurt both the Senate and the country if we ignore those rules. So many times I have heard Senator BYRD, who would see us moving away from the rules which guide us, stand up to address the Chair and remind each one of us what it means to be a Senator, what it means to protect those principals and what it means to serve this country.

Senators come and go. All of us will at some time leave this body. But those Senators who do the most to uphold and keep the functions and history of the Senate alive are the ones who will make it a better place for the next generation of Senators. Senator BYRD has authored histories of this Chamber, but then he has also lived the history of this Chamber.

I salute my good friend from West Virginia. I look forward to serving with him for years to come.

Mr. ROCKEFELLER. Madam President, I rise today to honor a giant of the Senate, my colleague and the senior Senator from West Virginia, ROBERT C. BYRD.

Yesterday we watched a number of new Senators take an enormously important oath to serve our country and to defend our Constitution. I was included in taking that oath and I couldn't help but think of my new colleagues. If these new Senators are looking for an inspiration, a guiding light, or a model, the way that I did some years ago, they need look no further than the seat directly behind our distinguished majority leader.

In that seat they will find a man who took that same oath that we did 50 years ago today. Senator BYRD has taken that oath a total of nine times. He has cast more votes than anyone in the history of the Senate. He has held more leadership positions than anyone in the history of the Senate. He has served longer than anyone in the Senate. He has literally written the book on the Senate and lived the story of the Senate over five decades.

ROBERT C. BYRD is nothing short of a legend. However, 50 years ago today he was a young man from West Virginia who married a coal miner's daughter. He had spent 4 years in the West Virginia Legislature and 6 years in the U.S. House of Representatives.

No one could know in 1959 that he would be a legend in 50 years. What they did know was ROBERT CARLYLE BYRD was an ambitious self-starter who would put himself through law school while serving in the U.S. Congress.

They knew Senator BYRD was always willing to help a colleague and to provide advice and guidance.

In 1959 they knew ROBERT BYRD had married his grade school sweetheart—

Erma Ora—who would stand with him her entire life and was just as beloved as he was in West Virginia and in Washington. Senator BYRD always knew Erma's greatness saying she was not only his wife but his best counselor.

Speaking of West Virginia, the Senate knew from his first days here that he would advocate fiercely for the citizens of our State and throughout the years would bring prosperity to West Virginia.

While they knew these things in 1959, today we know Senator BYRD as the conscience of the Senate. We know him as the Senator with the greatest longevity. In West Virginia we now know him as the West Virginian of the 20th century and I am glad the Nation has had the opportunity to get to know Senator BYRD over these last 50 years.

I know my colleagues join me in congratulating Senator BYRD on a record-setting 50 years in the Senate. Senator, I wish you many more.

Mr. DURBIN. Madam President, I want to join Senator REID and all of my colleagues in congratulating Senator ROBERT BYRD on reaching yet another historic milestone in his lifetime of public service.

In the history of the U.S. Senate, only one Senator, ROBERT CARLYLE BYRD, has served for 50 years.

A half century of service to his State, our Nation, this institution, and our Constitution. That is a remarkable achievement and one that we are not likely to see again for a very long time.

Senator BYRD is, of course, a great student of history and the author of the definitive work on the history of the Senate. In fact, one could say that ROBERT C. BYRD is Senate history.

Senator BYRD has served with (not under, with) 11 Presidents—very soon to be 12 Presidents.

He was the first U.S. Senator ever to cast 15,000 votes, and he is the only Senator ever to cast 18,000 votes.

Senator BYRD has served as majority leader, and held more leadership positions than any Senator in history.

To help put the length of his service in perspective, consider a few facts:

When Senator BYRD cast his first vote in the Senate—on January 8, 1959—his colleagues included Senators John Kennedy and Lyndon Johnson. Vice President Richard Nixon was the Presiding Officer. Hawaii was not yet a State. And a state-of-the-art computer would have taken up half of the space of this Chamber and had roughly the same amount of computing power as a Palm Pilot.

He has been a candidate for election 13 times—10 times as a candidate for the Senate and 3 times as a candidate for the House. He won every time.

And he has become perhaps the most popular political figure in West Virginia history. He was named West Virginian of the Century by the residents of his home State.

Senator BYRD's recent reelection to this body is a testimony to West Vir-

ginians' enduring respect and admiration for this proud son of "the Mountain State."

It is an honor to serve with this giant of Senate history, and to share with him this milestone. Again, I commend him and congratulate him.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mrs. FEINSTEIN. Madam President, I would like to offer my very sincere and heartfelt congratulations to the President pro tempore of this body, Senator ROBERT BYRD. He has served in the body for 50 years. I have had the privilege of working on the Appropriations Committee with him. There has been no one who has been more faithful to the Constitution, to the goals of the Senate or who has served this Senate more honorably. I wish to say congratulations, Mr. Chairman. May you have many more years.

#### LAWFUL INTERROGATION AND DETENTION ACT

Mrs. FEINSTEIN. Madam President, I would like to speak—and I am joined on the floor by my comember of the Intelligence Committee, Senator RON WYDEN, who will also speak on this issue—about the bill that Senators ROCKEFELLER, WYDEN and WHITEHOUSE and I introduced yesterday. It is the Lawful Interrogation and Detention Act.

I began this effort some time ago because I believe very strongly it is time to end the failed experiment at Guantanamo. It is time to repudiate torture and secret disappearances. It is time to end the outsourcing of coercive interrogations to outside contractors.

I believe it is time to return to the norms and values that have driven the United States to greatness since the days of George Washington but have been tarnished in the past 7 years. That is what both Senator WYDEN and I hope this bill will do.

I have sent a copy of it to President-elect Obama's transition team. I have had occasion to talk with him about it and indicated that we look to work closely with him.

What this bill would do is require the President to close the detention facilities at Guantanamo Bay within 12 months. The need to close this facility is clear. Along with the abuses at Abu Ghraib, Guantanamo has been decried throughout the world. It has helped our enemies recruit, it has reduced America's credibility worldwide, strained relationships with our allies, and created a misguided dual legal system.

Additionally, the Supreme Court now has ruled four times that the proce-

dures put in place at Guantanamo are illegal. First, in *Rasul v. Bush*, the Court ruled the administration could not hold detainees outside U.S. law on Guantanamo soil; second, *Hamdi v. Rumsfeld*, in which the Court ruled the Government could not detain a U.S. citizen without due process and struck down the executive's process of labeling detainees as unlawful enemy combatants; third, *Hamdan v. Rumsfeld*, in which the Court struck down the administration's process for trying detainees outside the civilian legal system or the Uniform Code of Military Justice; and most recently in *Boumediene*, in which the Court ruled that detainees must be afforded habeas corpus.

Guantanamo was explicitly created to be a separate and lesser system of justice, to hold people captured on or near the battlefield in Afghanistan indefinitely. In 7 years, it has produced three convictions, including Australian David Hicks—who agreed to a plea bargain to get off the island, and Osama bin Laden's driver, Salim Hamdan, whose sentence is almost already up.

The hard part about closing Guantanamo is not deciding to go do it; it is figuring out what to do with the remaining detainees. Under the Lawful Interrogation and Detention Act, the approximately 250 individuals now being held there would be handled in one of five ways.

No. 1, they can be charged with a crime and tried in the United States in the Federal civilian or military justice systems. These systems have handled terrorists and other dangerous individuals before and are capable of dealing with classified evidence and other unusual factors.

Second, individuals could be transferred to an international tribunal, if such a tribunal exists.

Third, detainees could be returned to their native countries or, if that is not possible, they could be transferred to a different country.

To date, more than 500 men have been sent from Guantanamo to the custody of other countries. Recently, Portugal and other nations have suggested they would be open to taking some of the remaining detainees as a way to help close Guantanamo. That is good news.

If there are detainees who cannot be charged with crimes or transferred to the custody of another country, there is a fourth option. If the Secretary of Defense and the Director of National Intelligence agree an individual poses no security threat to the United States, the U.S. Government may release him. This may work, for example, for the Chinese Uighurs remaining at Guantanamo. I believe five or six Uighurs have already been released. The District Court for the District of Columbia has ordered that the remaining 17 Uighurs be released into our country. That decision has been stayed upon appeal.

Finally, for detainees who cannot be addressed in any one of the other four