The Senate met at 10 a.m. and was called to order by the Honorable Mark R. Warner, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Almighty God, architect of our destinies, You have entrusted this world to humanity. Make us responsible stewards of its resources. Lord, lead our lawmakers to work and conserve not only inanimate things but human capital as well. Guide them to invest in the talents and creativity of the American people, remembering how our citizens have solved great problems in our past. Use our governmental leaders to bring order from chaos and harmony from discord. Lord, give them the wisdom to be forces for unity and good will. Replenish their physical strength so they can have resiliency for each challenge.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable Mark R. Warner 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 21, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Mark R. Warner, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

Robert C. Byrd,
President pro tempore.

Mr. Warner 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 executive session and consideration of the nomination of Christopher Hill to be Ambassador to Iraq. This is all postcloture time. Cloture was invoked from going to S. 386, the Fraud Enforcement and Recovery Act legislation, which is somewhat astounding since it is a bipartisan bill. But that is where we find ourselves.

It is too bad we cannot move to that and start offering amendments and complete that legislation, but that is the way the minority wishes to proceed—not to allow us to proceed.

The Senate will remain in session, as I indicated yesterday, until we vote on the confirmation of the Hill nomination, and then cloture on the motion to proceed to S. 386, the Fraud Enforcement and Recovery Act. If Senators require the full 30 hours of postcloture debate, we will vote at 1 a.m. this morning.

The Senate will recess from 12:30 to 2:15 p.m. today to allow for the weekly caucus luncheons to meet.

MEASURE PLACED ON THE CALENDAR—H.R. 131

Mr. Reid. Mr. President, H.R. 131 is at the desk. It is my understanding it is due for its second reading.

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

The legislative clerk read as follows:

A bill (H.R. 131) to establish the Ronald Reagan Centennial Commission.

Mr. Reid. Mr. President, I object to any further proceedings on this matter at this time.

The ACTING PRESIDENT pro tempore. Objection is heard.

Without objection, the bill will be placed on the calendar.

NEVADA'S PULITZER PRIZE WINNER

Mr. Reid. Mr. President, it is not every day we get to read good news in the newspaper, and it is certainly not common of late to read good news about newspapers. Today is one of those rare days. A newspaper in the State of Nevada—the Las Vegas Sun—has won the Pulitzer Prize because of a courageous young journalist named Alexandra Berzon. I spoke to her yesterday. This was basically this young woman's first reporting job. She is so excited, as she should be.

I am very happy and proud the Pulitzer is coming to Nevada. This is only the second time in Nevada's history it has received this most prestigious award in journalism and the first time in more than three decades. But I am especially proud because the Sun has been recognized for public service reporting that uncovered lax safety standards and led to actual policy changes that are saving lives.

The famous Las Vegas strip recently saw a $32 billion building boom. But something else was going up along with the hotels and casinos—the unnecessary deaths of construction workers. Twelve workers died in a little over 17
months. Berzon’s careful reporting led to important safety improvements, and not one worker has died since these changes took effect. I applaud Alexandra Berzon, her editors, and everyone at the Las Vegas Sun, which has a storied history of solid investigative journalism.

This newspaper started on a string many years ago—in the 1950s—by a man by the name of Hank Greenspun. He was a crusading newspaperman. He was the first to see the opportunity to try to take on Senator McCarthy and the awful things he was doing to America and about America. He took him on personally on one of McCarthy’s visits to Las Vegas.

He also did something else which was very courageous. Nevada had a very powerful Senator. His name was Pat McCarran. He was noted for his use of power, and Hank Greenspun, of the Las Vegas Sun newspaper, took after him big time. McCarran asked all the strip hotels to advertise in his newspaper, and they followed the demand of Senator McCarran. A lawsuit was filed. We only had one Federal judge, and that one Federal judge—even though he had been appointed by McCarthy—admitted the cause of action, which is not a jury trial—ruled in favor of the Sun. He won that lawsuit.

He took on McCarthy, he took on McCarran, and that was only the beginning of this great newspaper and the things it has done, and now they have won a Pulitzer. Hank Greenspun must be smiling from heaven.

Someone who is a modern-day icon of this newspaper was a man who taught me in high school. Fortuitously, he and I, unexpectedly, were elected, independently, Governor and Lieutenant Governor at the same time. He served 8 years. His name was Mike O’Callaghan, Governor of the State, and a very popular person. He could have gone on to make huge amounts of money in other places. He decided not to do that. I was a lawyer. I drew up this big contract where he would go to work for Hank Greenspun running his newspapers. I met with him, handled him the contract, and he said: We don’t sign contracts; we shake hands. So they shook hands, and that was the beginning of a relationship that is historic in Nevada.

My dear friend Mike O’Callaghan died in church: he went to mass every morning, and died as a young man in his church. From sure his good thoughts are still coming forward.

With Hank and Mike, I am sure, as I have indicated about Hank, they are looking down from this place we call heaven at this wonderful time for this country.

The kind of reporting Alexandra Berzon did is a model for reporters everywhere to follow. Of the 21 Pulitzer Prizes, only one—the Public Service Award—the one that the Las Vegas Sun was awarded—doesn’t come with a cash prize. All the others come with a $10,000 cash prize but not this one. It comes with a medal. But this medal is going to mean much more to Alexandra than any dollar amount would. It is a reminder that journalism, in its most fundamental role—as a disinterested watchdog for our communities and our citizens, our country—benefits all of us.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore

The Republican leader is recognized.

GITMO CLOSURE

Mr. MCCONNELL. Mr. President, yesterday, I pointed out that the President’s war funding request contains up to $80 million to close the U.S. detention facility in Guantanamo Bay. The administration says Guantanamo will be closed by next January. What they have not told us is what they plan to do with these killers once it closes. Well, Americans want some assurances that closing Guantanamo will not make them less safe. Frankly, that is a very important and understandable request.

Guantanamo currently houses some of the most dangerous men alive. These are men who are proud of the innocent lives they have taken and who want to return to terrorism. One person who is there, and whom we do not know what we will do with, is Khalid Shaikh Mohammed, the mastermind of the 9/11 attacks. We captured him while he was planning followup attacks to 9/11, including plots to destroy a West Coast skyscraper and to smuggle explosives into New York. If we had not captured him, he may have succeeded in launching the same type of attack on the west coast that he carried out on the east coast. This is a man who brags about decapitating the American journalist Daniel Pearl, with the following quote: . . . with my blessed right hand. How does transferring Khalid Shaikh Mohammed make the country safer?

Another person at Guantanamo that the administration doesn’t know what it will do with in 9 months is Ali Abd al-Aziz Ali, who served as a key lieutenant for Khalid Shaikh Mohammed during the 9/11 operation. How does transferring him make the country safer?

Then there is Abd al-Rahim al-Nashiri. He was al-Qa’ida’s operations chief in the Arabian Peninsula and the mastermind behind the attack on the USS Cole which killed 17 sailors in 2000. How does transferring or releasing Guantanamo prisoners make the country safer?

These are just 3 of the 240 terrorists that the administration doesn’t know what to do with. The one thing they do know is that they claim they are going to close Guantanamo in 9 months, even though they can’t say yet whether the alternative is as safe and secure. All of this, despite the fact that after visiting Guantanamo for the first time recently, Attorney General Holder said he was “impressed by the people who are presently running the camp” and that “the facilities there are good ones.”

That was certainly my impression when I went there a few years ago.

The administration needs to tell the American people what it plans to do with these men if it closes Guantanamo. Two years ago, the Senate voted 93 to 3—94 to 3—against sending these men to the United States. Foreign countries have so far been unwilling to take any of them in significant numbers—understandably. Even if countries were willing to take them, there is an increasing probability that some of these murderers would return to the battlefield. The Defense Department recently confirmed that 18 former detainees had returned to the battlefield and said that at least 40 more are suspected of having done so.

These are people we have already released who are back on the battlefield.

Earlier this year, the Saudi Government said that nearly a dozen Saudis who were released from Gitmo are believed to have returned to terrorism.

The administration has made a priority of closing Gitmo but its first priority should be to assure the American people that the detainees at Gitmo will never again be able to harm Americans.

ENTITLEMENT SPENDING

Mr. President, I have one more word in addition to my comments yesterday about the President’s welcome gesture on wasteful spending. The Cabinet has been asked to find $100 million in savings over the next few months and this is clearly a step in the right direction, but it is just a step. Current levels of Government spending and debt are completely and totally out of control and the threat of a fiscal catastrophe is very real. The only way to address this out-of-control spending is to get the heart of the problem, which is entitlement spending.

A lot of people do not realize that nearly 70 percent of the money the Federal Government spends every year is mandatory spending on very popular programs such as Medicare, Medicaid, Social Security, and on the interest we have to pay on the national debt.

Entitlements are the heart of the problem. As Willie Sutton put it: That’s where the money is. And if we don’t find a way to spend less, we will be in very serious trouble as a nation. Fortunately, Senators GREGG and CONRAD have a proposal on the table that addresses entitlement spending head on, by forcing Democrats and Republicans to come together and make the kind of tough choices necessary to steer the country out of an otherwise inevitable financial shipwreck. It deserves much more attention than it has received, and it deserves a vote here in the Senate.

Cutting $100 million is great but it’s put in context. The amount of money the President asked the Cabinet to save yesterday,
$100 million, is about how much we will spend every single day on interest on the stimulus bill we passed a while back. Mr. President, $100 million in savings is certainly good. It amounts to about 33 cents for every single American. Compare that to entitlements. In order to honor all our current and future entitlement promises, we would have to extract $495,000 from every American household—$495,000 from every American household. The way I see it, there is simply no solution as to where the priority should be. I yield the floor.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF CHRISTOPHER R. HILL TO BE AMBASSADOR TO IRAQ—RESUMED

The ACTING PRESIDENT pro tempore. The Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read as follows:

Nomination of Christopher R. Hill, of Rhode Island, a Career Member of the Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I know we are here to discuss the nomination of Christopher Hill to be our Ambassador to Iraq. I want to talk about that for a few minutes.

But I have to say, as I was sitting there listening to the distinguished minority leader complaining about the interest we are paying on the debt, I almost choked on the absurdity and irony of the situation in which we find ourselves. The reason we have to have an enormous stimulus plan is because of the mismanagement of our entire economy and Government over the course of the last 8 years. Not once—the Senator from Rhode Island will know this—not once did the President of the United States George Bush veto a spending bill—not once. It was under the leadership of the Republicans as the chairs of all the essential spending committees of the Congress. They had the House, they had the Senate, they had the White House. During that period of time, they took a $5.6 trillion surplus and turned it into a $10 trillion debt and about a $5.6 trillion deficit—the most irresponsible period of fiscal management I think in the history of this country. Not to mention what they did with respect to the management of the regulatory process of our country, where, as we know, deals were allowed to be made on Wall Street that had no business being made. Regulators were taken out of the industry itself and it was like putting the fox in charge of the chicken coop in the most overt sense possible, so regulation went out the window.

We are paying the price for that today. The American taxpayer is paying the price. The average homeowner is paying the price. Retirees are paying the price. These unprecedented numbers of people laid off because of the hollow, empty Ponzi scheme investments and commission schemes that were engaged in on Wall Street and elsewhere. It is staggering.

To listen to them come to the floor with no alternative plan—they don’t offer any alternative as to how you put America back to work. They just say: No, don’t spend this money. Oh, my God, we are building up a terrible deficit—despite the fact that for 8 years, they were silent about the deficit. There is something in public where you earn the right, sort of a moral level of rectitude or of justification for saying the things you say. I have to tell you, it is hard to listen to some of these folks, who were a part of that, without even accepting responsibility for it. They don’t come down and say, you know, we made a blooper of a mistake or, boy, did I misjudge this or that or whatever. It is a wholesale flip-flop transition that is absolutely staggering in its proportions. Judging by the polling numbers on the President reflecting the decisions he is making, tough decisions about how to get the country moving again, I think the American people get it. I hope we are going to spend our time more profitably around here than playing the traditional political game of delay and obfuscation and those tactics.

The reason I mention that is the reason we are on the floor today debating the nomination of Christopher Hill is more of the same. It is exactly part of the same process of politics as usual in Washington, DC. There is no reason that for the last 2 weeks, while the Congress of the United States was on its Easter break—many Members back home or traveling the world, dealing with a lot of issues—there is no reason we did not have an ambassador in Iraq, which is what General Odierno wants, what General Petraeus wants, what the American people want, what the American workers need and deserve.

Time and again, Senators have come to the floor and said there is no military solution in Iraq. The reason we are drawing down our numbers of troops there now is to transfer authority to the Iraqis themselves so our troops can come home and so they can assume responsibility for their country. As all of us know, that cannot happen completely and properly until and unless there is a political process in Iraq that is resolved. As the Washington Post noted, we have not had an ambassador in Iraq since last February. So we have gone all this time with the principal issue which needs to be resolved, which is political, without the principal player, who is the Ambassador.

It is stunning to me that a few Senators have decided not just to register their opposition—which they can do, one of the few things they can do at this time to the floor, speak against the nomination and let’s have a vote. He is going to be overwhelmingly supported to be the next ambassador to Iraq. But we will have delayed and diddled and who knows what opportunity may have been delayed or lost if the presence of our not having the principal political player on the ground in Iraq in order to help negotiate.

The fact is, Chris Hill, when you look at the record, even some of the arguments that are being made about him by the few who oppose him do not stand up. They do not stand up to scrutiny. In over three decades of service at the State Department, as ambassador to complicated, difficult parts of the world— Ambassador to Macedonia and Poland, to South Korea, Chris Hill has proven himself to be one of America’s most talented diplomats. Today we are asking him to take on one of the most challenging diplomatic posts, one that if you look at his record through the years he has been preparing for in different ways in each of these different posts.

Senator LUGAR yesterday joined in the effort to get this vote and to approve this nomination. I appreciate enormously the partnership Senator LUGAR has provided for years on the Foreign Relations Committee, as a partner to now-Vice President BIDEN, and now working with me and with the rest of the committee. Senator LUGAR believes in calling things the way he sees them and in making judgments based on the facts—above all, in trying to have a foreign policy presence for the United States that is bipartisan, where the politics end at the water’s edge. The fact is, Ambassador Hill’s decades of diplomatic experience, as Senator LUGAR pointed out, give him the skills that matter the most in Iraq—the ability to achieve our objectives in a complex, charging, sectarian, volatile, complicated environment.

This is exactly the experience Chris Hill brings to this effort. He was one of the principal players in helping to resolve the civil wars in the Balkans. Many of us remember how difficult and, frankly, gridlocked that particular situation looked. He has worked on multiparty International negotiations. He has dealt with hostile regimes in the six-party talks on North Korea’s nuclear program. Several times he has conducted his diplomatic efforts alongside a sizable military presence.

His next assignment will require him to bring every single diplomatic experience to the table. He will have to do it working against the clock as we finally bring our troops home from Iraq.
We have set a timetable. It is a timetable that the military and Defense Department have agreed with, and it is one that many people believe will require the Iraqis to stand up for themselves in ways that they had been unwilling to do previously. But the fact is that we must expect that there is going to be need to bring those troops home, it is going to require more diplomacy, smarter diplomacy, and more urgent diplomacy. Now more than ever we need to enlist Iraq’s neighbors in working constructively to stabilize Iraq, and that includes Iran and Syria.

Iraq today still presents extraordinary challenges. Nobody should believe that because we have announced the troops are going to start to come home that Iraq is a done deal. It is not a done deal. It is still tricky, it is volatile, explosive. There are very complicated issues such as the oil revenues, the Federal Constitution, the resolution of the city of Kirkuk and the Kurds’ interests. All are these are political solutions that need to be arrived at. I believe Chris Hill brings the skills necessary to help us to be able to do that.

A few weeks ago, the Foreign Relations Committee strongly endorsed Chris Hill’s nomination. As I said a few moments ago, I absolutely respect the right of any Senator to object to a nominee and to want to make their point about that nominee. But when you know you do not have the votes to legitimately block a nomination, to delay that nomination for critical weeks I think borders on the irresponsible. It makes this institution look a little silly in some ways. The fact is, if you look at the issues that have been raised, those issues have been consistently and accurately answered on the record. Let me go through a couple of them.

Concerns have been raised about Ambassador Hill’s record dealing with North Korea. Let me address that directly. First, some have attacked Chris Hill for not pressing hard enough against North Korea’s atrocious human rights record. My friend Senator BROWNBACK in particular has been outspoken in this regard, arguing that Ambassador Hill reneged on a promise made at a July 31, 2008 Senate Armed Services Committee hearing.

We have spoken directly to that before our committee in answer to a question he was asked by Senator LUGAR. Yesterday, I asked that portions of Ambassador Hill’s Senate testimony be submitted for the Record so Senators could read that today about the Congressionally Authorized Record and make their own judgment. But Ambassador Hill did the following in answer to a question from Senator BROWNBACK: He did consent to invite the Special Envoy for North Korea to permit Mercy Corps, World Vision, Samaritan’s Purse, Global Resource Service, and Christian

importantly, Chris Hill agrees with him, and Chris Hill was not silent. He made it plain in open testimony before the Senate Armed Services Committee in July of 2008. Let me quote from that testimony because it speaks eloquently to Ambassador Hill’s character and to his concern for those innocent victims of North Korea’s repressive system. Here is what Chris Hill said in 2008, well before being nominated for this job, before the Armed Services Committee of the Senate:

"The DPRK’s human rights record is, quite frankly, abysmal. And every day that the people of North Korea continue to suffer represents an unacceptable continuation of oppression. I have seen satellite images of the DPRK’s extensive prison camp system. This is truly a scar on the Korean Peninsula.

So he refers specifically to the photos Senator BROWNBACK showed yesterday. He goes on to say:

"It is reported that North Koreans suffer torture, forced abortion, and in some cases, even execution. The dangers that face North Korean refugees who flee their country in search of a better life, often only to face suffering or eventual repatriation with a very uncertain fate, are certain, and similarly unacceptable. The United States’ dedication to improving the lives of North Korean people will never wane, and we will continue to seek all appropriate means to improve this heartbreaking situation.

We have repeatedly made clear to the DPRK that human rights is not only a U.S. priority—frankly, it’s an international priority. It is a part of the standard of joining the international community. We’ve emphasized much we value the advancement of human rights in all societies and our need to have this and other outstanding issues of concern discussed in the normalization process.

So Chris Hill could not have been more clear, time and again, in his negotiations, in his public comments, in his testimony to the Senate, about the human rights situation.

Second, Chris Hill worked closely with his colleagues in the Senate Armed Services Committee hearing.

"Lost in this is also the fact that Chris Hill was extraordinarily outspoken in his criticism of human rights in North Korea. He was plainspoken with respect to that, and he was diligent in his effort to improve human rights in North Korea. Listening to some of his critics, you might get the impression that Chris Hill was somehow indifferent to the suffering of the North Korean people. Nothing could, in fact, be further from the truth.

First, he expressed, on a number of occasions, using the plainest language, that North Korea’s human rights record was “abysmal,” making clear in public and private that North Korea cannot fully join the international community short of significant improvement on this issue.

Yesterday, my colleague from Kansas showed pictures comparing North Korean reeducation and internment camps. He warned that he must not be silent about North Korea’s conduct. He is right. We must not be silent. Most
Friends of Korea to send Korean-speaking foreign staff to the countryside of North Korea in order to monitor food aid deliveries. But they did that. They accomplished that.

The fact that several of these NGOs are Chase and 1432 Cleveland makes this accomplishment even more remarkable given North Korea’s poor record on religious freedom issues.

So Chris Hill’s record on North Korean human rights is, frankly, unsatisfiable. It is admirable, and we do him a disservice if that is not acknowledged here in the Senate.

What is more, Chris Hill achieved these gains inside the limitations of a policy that was shaped from above by his superiors in the White House, one that properly focused on denuclearization first, while also trying to address a wide range of other concerns, including human rights, missile proliferation, counterfeiting, drug smuggling, and other illicit activities. From the early days of the administration the focus was always clearly on security issues. In announcing the results of the Bush administration’s North Korea policy review on June 6, 2001, the President instructed his security team to focus on North Korea’s nuclear activities, its missile programs, and its conventional military posture. There was no explicit mention of human rights in President Bush’s policy at that point in time, although North Korea’s reluctance to allow inspections of its nuclear activities, its missile programs, and its conventional military posture. There was no explicit mention of human rights in President Bush’s policy at that point in time, although North Korea’s reluctance to allow inspections of its nuclear activities, its missile programs, and its conventional military posture.

This was 6 weeks before Chris Hill was named envoy to the six-party talks, and it was 3 months before he was even named Assistant Secretary of State. So what are we doing debating the question of Chris Hill and this policy, when the policy was put in place by the President well before he even became Assistant Secretary of State? He followed the policy directives.

My friend Senator BROWNBACK said yesterday that North Korea’s policy was a Chris Hill policy. That is not the case, and the record proves that is not the case. The decision to focus on the complete verifiable and irreversible elimination of North Korea’s nuclear program was American policy. It was U.S. policy well before Chris Hill arrived, and it remains America’s policy today.

Those who criticize Chris Hill for not accomplishing more in the area of human rights should also appreciate that he was in many cases, hamstrung. I think he would have liked to have gone further in some regards, but his limitations were to the six-party talks, when many of us were pressing for bilateral talks. I might add. I remember in the 2004 campaign, in the debates with President Bush, I advocated moving toward bilateral as the way to get things done. And the President said no. He was driven by the concept of six-party talks. For several years, we went on with that. But ultimately it was through the administration’s eventual transition to a bilateral set of meetings that we actually made progress and accomplished in that relationship, tenous as it was.

So Chris Hill was implementing the policy of President Bush, Secretary Rice, National Security Advisor Hadley, Vice President Dick Cheney, and those who had the final say on North Korean policy. That final say did not then rest with a professional foreign career officer who was implementing the policy.

I am also troubled that some of the criticisms of America’s policy toward North Korea seem to carry with them the implication that Chris Hill does not own a personal level about human rights. Well, this runs counter to a lifetime of concern and achievement everywhere he has served.

In Kosovo, Ambassador Hill advocated NATO intervention to prevent ethnic cleansing. When more than a quarter million refugees from Kosovo flooded Macedonia in 1999, it was Ambassador Hill who worked tirelessly to keep the border open and set up dozens of refugee camps across Macedonia, protecting vulnerable people and assuring Macedonia’s leadership to keep taking refugees even as they complained that their country could hold no more, even as the number of refugees rose to 10 percent of Macedonia’s population, with a wave of Muslim refugees entering a delicately balanced majority-Christian, multireligious society. That is what Chris Hill accomplished. He managed to protect the rights of those people, and he did so under enormously difficult circumstances. He ought to get credit for that. The folks who are sounding the drumbeat of human rights ought to be giving him credit for the record of what he accomplished in those difficult circumstances.

Another particular story shows Chris Hill’s commitment to human rights. In the middle of the night, a crowd gathered in a refugee camp and was preparing to harm two Roma families. Chris Hill personally risked his own safety to stand in front of that crowd and allow the families who were being targeted to evacuate while he stood there. Those present risked their lives to protect him. Those present did not see a display of moral and physical courage.

So while we may disagree with the American policy, let’s not allow those disagreements to degenerate into personal accusations against a man who has given his entire life to serving America’s interests and ideals and has a decades-long record on human rights to prove it.

Simply put, Chris Hill is one of the best diplomats we have. That is why Senator LUGAR expressed his support and spoke of his outstanding diplomatic and managerial skills. Vice President BIDEN has referred to Ambassador Hill as one of the gems we have in the Foreign Service.”

For years, many in this body have argued that we ought to follow the advice of our commanders on the ground in Iraq. How many times have we had a debate in which people have said: Listen to the generals. We ought to have a vote on the commanders in Iraq. Well, here is what they are saying:

GEN Ray Odierno, the top military commander in Iraq, said:

Hopefully we will have an ambassador out here very soon. It would certainly help to have an ambassador here as quickly as possible.

The Pentagon’s top spokesman went even further. He said:

It is vital that we get an ambassador in Baghdad as soon as possible because there is no substitute for having the President’s envoy, the U.S. Ambassador, in place and on the job.

Our Ambassadors have been under assault in their efforts to protect American interests and not delay this nomination any further. I believe we should have Chris Hill on a plane tomorrow to Baghdad and spoke of his outstanding diplomatic and managerial skills.

I am also troubled that some of the criticisms of America’s policy toward North Korea seem to carry with them the implication that Chris Hill does not own a personal level about human rights. Well, this runs counter to a lifetime of concern and achievement everywhere he has served. So this is not a time for delay. Chris Hill has promised to leave for Iraq within 24 hours of being confirmed, if confirmed. I believe we should have Chris Hill on a plane tomorrow to Iraq. And I hope my colleagues—I see none of them in the Chamber who oppose this nomination. We are going to try to move to a vote, let me say to my colleagues. If there are people who oppose this nomination, they ought to be here to do so because we are going to try to move to a vote in the early afternoon and not delay this nomination any further.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I rise today to join the distinguished
chairman of the Foreign Relations Committee in support of Ambassador Christopher Hill as our next United States Ambassador to Iraq.

In helping to negotiate an end to the crisis in the Balkans, in leading three Embassies, and in working to disarm North Korea’s nuclear weapons program, Ambassador Hill has gleaned invaluable experience and given invaluable service in over 31 years of diplomatic service to this country.

Ambassador Hill is a fellow son of the Foreign Service. My father and grandfather were Foreign Service officers, and I have some experience of the sense of calling and dedication that background provides. He is decent, honorable, and snarled right now in Senate politics in a way, frankly, that is less of a reflection on him than it is a reflection on us.

He is also a fellow Rhode Islander, with a family home in Little Compton, RI. His family moved there when he was very young. When United States diplomats, including his father, were expelled from Haiti. He attended the Moses Brown preparatory school in Providence and later returned to the Ocean State to attend the U.S. Naval War College.

Now, at the crest of his career, he is a hero of the American Foreign Service and one of our very few most distinguished diplomats. He has shown in his career a special talent for bringing together different points of view. He has divided people by a skill that will, obviously, be critical in Iraq. When the Balkans erupted in ethnic conflict, Ambassador Hill was a central player on the Clinton team that forged the Dayton Accords, the peace settlement that ended the Bosnian war.

In his book on the Dayton negotiations, Special Representative for Afghanistan and Pakistan Ambassador Richard Holbrooke described Hill as “brilliant,” “fearless,” “passionate,” and for him being both “very cool and very passionate,” and for his strong negotiating skills. These are the very traits we need in an Ambassador to Iraq.

As Ambassador to South Korea, Christopher Hill broke diplomatic precedent and charmed the South Korean people by repeatedly visiting hotbeds of anti-American sentiment, such as universities, where he engaged in open debate with audiences. He paid his respects at a memorial for thousands of civilians fired upon by a 1980s military government. No senior U.S. official had ever done this membrane, and he won the respect and trust of many through this simple yet momentous gesture. A senior official with the American Chamber of Commerce in South Korea, Tami Overby, stated: “He was here the shortest term among the six ambassadors that I’ve seen here in my 18 years, but [he] had the most impact.”

Ambassador Hill’s time in South Korea and his tapped role to head negotiations in six-party talks over North Korea’s nuclear weapons program. At a time of crisis, when the Bush administration had long ignored nuclear proliferation by North Korea, Ambassador Hill spoke throughout China, Japan, South Korea, Russia, and other regional partners to the bargaining table. Though some of my Senate colleagues have criticized Ambassador Hill for negotiating with North Korea, his efforts there culminated in the dismantlement of the Pyongyang reactor, slowing North Korean nuclear proliferation and protecting United States and world security.

Now he is President Obama’s nominee as Ambassador to Iraq, Timing, as Senator KERRY has pointed out, is crucial, and the delay is perplexing.

Let’s look back to May 2005, when the Republican majority leader took to the floor to the nominations of Miguel Estrada, Priscilla Owen, and Janice Rogers Brown to U.S. courts of appeals. He said then of the Senate Democratic minority: “For the first time in 214 years, they have changed the Senate’s ‘advise and consent’ responsibilities to ‘advise and obstruct.’

Well, the shoe is on the other foot. My Republican colleagues are obstructing the nomination of our much needed United States Ambassador to Iraq. When, in 2005, Kenneth Wainstein was nominated as the Assistant Attorney General for National Security, my colleague from Texas, Senator CORNYN, came to the floor and stated: Obstruction from the other side of the aisle, Mr. President, is impeding efforts to improve national security.

He continued: Democratic obstruction is impeding this effort to improve national security.

Today, Republicans are engaged in the very obstruction criticized in 2005. In 2007, when Michael Mukasey was nominated as Attorney General, the Republican leader came here to state: ‘If our colleagues intentionally delay the nominees and their hearings, they will show the American people that their concern for the Department was insincere. . . . In these times, it is especially important that the Senate act promptly. We are, after all, at war.

Well, they will be the first to tell you that we are still at war, and yet on this critical appointment for our new President: obstruction.

A Similarly, when it came to the Iraq surge, my colleagues on the other side of the aisle argued vehemently that we should defer to the judgment of General Petraeus and commanders on the ground in Iraq. I am not so sure about that, Civilian control of the military is a long-held American tradition. But that was their argument. We heard the name of Petraeus invoked over and over and over again.

Senator MCCONNELL, in March of 2007, spoke out against setting deadlines for U.S. troop withdrawals in Iraq, stating that deadlines would “interfere with the President and General Petraeus’s operational authority to conduct the war in Iraq as he and his commanders see fit. It would substitute for their judgment the 535 Members of Congress.”

In September of 2007, my colleague from South Carolina, Senator GRAHAM, said that “to substitute the Senate’s judgment for General Petraeus’s judgment, is ill-advised and unwarranted.”

Those of us who were here through that time remember clearly the repeated incantation of the name of Petraeus that featured so prominently in the Republican rhetoric. Well, I suggest to my Republican colleagues, the time may now have come to heed their own advice. Last month, the U.S. military’s chief spokesman, General Petraeus, stated: Generals Odierno and Petraeus have come out very publicly and very forcefully in support of Ambassador Hill’s nomination. I know they support it. They know him from previous assignments to them, they believe he is well suited to the job and are anxiously awaiting his confirmation.

What happened to the deference to General Petraeus now that he wants Ambassador Hill? And it is not just General Petraeus. Generals Odierno and the military establishment engaged in that theater. The last three United States Ambassadors to Iraq—all Republican appointees—Ambassador Ryan Crocker, Ambassador Zalmay Khalilzad, and Ambassador John Negroponte, have all also expressed their unequivocal support for Ambassador Hill.

There are areas outside of politics where professional respect prevails. As a former U.S. attorney and attorney general, I have seen it among prosecutors. We saw it when prosecutors of both parties rallied around the Department of Justice when the Bush administration and Attorney General Gonzales made their best efforts to ruin that great Department. The same principle applies here, the politics of this Chamber notwithstanding.

The professional colleagues of Ambassador Hill know better. They know how good he is, and they know we need him there.

My distinguished colleague from Indiana, the ranking member of the Senate Committee on Foreign Relations, also agrees. He put it well in Ambassador Hill’s confirmation hearing. ‘The same principle applies here, the politics of this Chamber notwithstanding. The professional colleagues of Ambassador Hill know better. They know how good he is, and they know we need him there.’

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the Senate Committee on Foreign Relations has said, he is one of our Na-
tion’s most accomplished diplomats, ready for one of our most difficult as-
signments. He has the votes to be con-
firm ed. Delay now can only impede
progress in Iraq’s future. And it falls
me to say this in the timezone of any
Member’s goal. The situation is
better in Iraq, but it remains difficult.

Arab-Kurd tensions are high in the
north. Sectarian groups struggle for
power after January’s provincial elec-
tions. Elections results slated for the
day of this year will be a key indicator
of Iraq’s democratic direction. The safety of our 146,400 men and women on
the ground in Iraq, of course, is always
of concern. History shows that even
major gains can always be reversed. So
let us get Ambassador Hill out there
to lead the transition of the United States
mission in Iraq from a military inter-
vention to a much needed focus on sta-
bilization and economic development, and
represent our Nation’s interests in
that troubled region.

I thank the Acting President pro
temore. The Senator from Massachu-
esta. Mr. KERRY. Mr. President, I am very
grateful to the Senator from Rhode Is-
land for his comments now, as well as
his leadership on the committee. And I
appreciate his coming to the floor to
take time to do this.

I know Senator CARDIN has been
waiting at this moment to represent the
Congress. Again, he is the right type of
person at this moment to represent the
interests of the United States.

Let me speak a little about the ur-
gency of why we needed to move forward
now and have Ambassador Hill con-

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The PRESIDING OFFICER. Without
agreement as to what will be the most effec-
tive policies in dealing with the dis-
placed individuals within Iraq and the

refugees living in surrounding coun-
tries. We need an ambassador in Iraq
to represent those interests to
give the President the best advice so
we have our best chance of a successful
mission within Iraq.

President Obama stated our strategy
in Iraq “is grounded in a clear and
achievable goal shared by the Iraqi
people and the American people: an
Iraq that is sovereign, stable, and self-
reliant. To achieve that goal, we will
work to promote a government
that is just, representative, and ac-
countable, and that provides neither
support nor safe-haven to terrorists.”

I think we all agree with President
Obama’s goals for Iraq, but it is clear
to all of us that we need a career, ex-
perienced diplomat in Iraq representing
our interests at this critical moment.

Quite frankly, I don’t understand the
delay. I really don’t. I think the vote
is going to be overwhelmingly in support
of his confirmation. Let’s get on with
it. Let’s get him confirmed. As Senator
KERRY has said, let’s get him on a
plane to Iraq as quickly as possible so
he can help serve our interests as Ambas-
dor to Iraq.

I urge my colleagues to vote for con-
firmation—and let’s get that vote as
quickly as possible—to represent the
U.S. interests in Iraq.

With that, I yield the floor and sug-

The PRESIDENT pro temore. The Sen-
ator from Delaware.

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

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

Mr. KAUFMAN. Madam President, I
rise today in support of the nomina-
tion of Christopher Hill to be Ambassador
to Iraq.

Last week, I had the very distinct
privilege of joining Senator JACK REED
on a trip to Iraq, Afghanistan, and
Pakistan to witness firsthand the re-
markable contributions of our military
and civilians abroad. In each and every
meeting in Baghdad, we were asked
about the nomination of Ambassador
Hill, and it was painstakingly clear
that the absence of a U.S. Ambassador
creates questions regarding America’s
commitment to the future of Iraq.

I cannot stress enough the concern
expressed by our military and civilian
leadership, as well as the Iraqi Govern-
ment, that there is no high-level civil-
ian representing the United States in
Iraq that provides neither support nor
safe-haven to terrorists.

In the Senate, we understand the
intricacies of parliamentary proce-
dures, and the outside counsel delay is
intermittent. It is unfortunate all too
many as signifying a low priority, a
lack of American interest, and a slight
to the people of Iraq.
With the beginning of President Obama’s drawdown plan and the withdrawal of American forces from major cities by this summer, we absolutely, positively need an ambassador to coordinate increased civilian efforts needed to replace our military presence.

As Iraqis take important steps to improve security, governance, economic development, and the training of police, we must have an ambassador to coordinate our efforts and continue to develop, and coordinate increased civilian efforts to provide security, governance, economic development, and the training of police. As Iraq faces the challenge of continued sectarian tension—especially between the Arabs and the Kurds—Ambassador Hill’s first task should be focusing on mitigating tensions in the north and helping the Iraqis resolve difficult questions surrounding the status of Kirkuk and the hydrocarbons law.

The future of Iraq is incumbent upon critical developments and critical milestones that were made this year, and we must stand upon this moment—on the Senate—to ensure that the U.S. Embassy in Baghdad—the largest in the world—has the leadership it needs to succeed in Iraq.

I have met with Ambassador Hill and I am convinced that he is the right person for this critical task. His extensive experience in diplomacy, nation building, and conflict management—especially in the Balkans—has prepared him for the challenge of Iraq. As a member of Ambassador Holbrooke’s team, Ambassador Hill was deeply engaged in the success of the Dayton peace accords in Bosnia. As Ambassador of Macedonia, he helped to ensure refugee camps were established for the Kosovar refugees. As a Special Negotiator for Kosovo, Ambassador Hill was the architect for efforts to secure human rights for the population. When those negotiations failed, he recommended NATO intervention to prevent the genocide of the Kosovars, which has been tested by some of the very biggest foreign policy challenges in recent decades. He has demonstrated time and time again that he has the skills necessary to succeed in Iraq.

The post of Ambassador to Iraq is vitally important to U.S. security interests in the region, and I am confident the Senate will soon confirm Ambassador Hill. With this in mind, I urge my colleagues who oppose this nomination to support Ambassador Hill’s nomination. In my view, Ambassador Hill has been tested by some of the very biggest foreign policy challenges in recent decades. He has demonstrated time and time again that he has the skills necessary to succeed in Iraq.

I am positive that he is the right person for the job. He is an accomplished diplomat. He is an expert on the Balkans, and has been the Balkans is related to his alleged unwillingness to push North Korea. He coordinated his efforts closely with the State Department’s Bureau of Democracy, Human Rights, and Labor. Together they worked to admit the first North Korean refugees to the United States in 2006 and expanded funding in support of North Korean human rights. This included expanded radio broadcasting efforts and support for human rights organizations in South Korea.

He has intervened with foreign governments, including China, to make sure North Korean asylum seekers did not disappear into detention but could instead be sent to countries where there were no risks. In public and in private, Ambassador Hill has made clear to North Korean officials that human rights are a primary concern of the United States—as important as the nuclear issue. The United States must insist that any settlement with North Korea take into account its atrocious record on human rights. Ambassador Hill was clear about the primacy of human rights in the process of negotiations.

Critics of Ambassador Hill have looked at a disappointing outcome at Six Party Talks and pointed the blame at him. It is a chilling thought, but it must be noted that without Ambassador Hill’s commitment, the situation could have been far worse. In this regard, I am grateful to Ambassador Hill for all that he accomplished with a government well-known for its intransigence—clearly, the most intransigent government on the face of the Earth. Ambassador Hill demonstrated in the Balkans and North Korea what is needed to replace our military presence.

In public and in private, Ambassador Hill has demonstrated to the Iraqi people and the world that we value the rights of all people and the world. He has prepared the way for a negotiated settlement with North Korea. As Ambassador Holbrooke’s fair arbitrator, and we need his experience with refugees and internally displaced persons. We will need his ability to interact with all parties as a fair arbitrator, and we need his experience with security issues and the training of police.

Now, more than ever, it is absolutely critical to demonstrate to the Iraqi people and the world that we value the importance of the future of Iraq. At this critical turning point, we must have a diplomat in Baghdad who can confront the many challenges and provide the necessary leadership for our mission. It is in this regard that I strongly support the nomination of Ambassador Chris Hill, not only because he is an accomplished diplomat but because he is the right person for the task at hand in Iraq.

I yield the floor and suggest the adoption of the PRESIDING OFFICER.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWNBACK. Madam President, today is a sad day in the history of the United States. It is Holocaust Remembrance Day. This month marks the 65th anniversary of a daring escape from Auschwitz by a teenager who then revealed the truth about the death camps, only to be ignored by the allied leadership.

In March 1944, the Germans occupied Hungary and prepared to deport that country’s Jews—numbering approximately 750,000—to Auschwitz. A 19-year-old prisoner, Rudolph Vrba, together with fellow inmate Alfred Wetzler, decided to do something that almost nobody had ever done before: escape from Auschwitz. They were determined to alert the world about the doom Hungarian Jews would soon face. Vrba and Wetzler used a ladder to pull away from their slave labor battalion and hid in a hollowed-out woodpile near the edge of the camp. On the advice of Soviet prisoners of war, the fugitives sprinkled the area with tobacco and gasoline, which confused the German dogs that were used to search for them.

On their second day in the woodpile, Vrba and Wetzler heard Allied warplanes overhead. “They came closer and closer—then down,” Vrba later recalled in his searing memoir I Cannot Forgive. “Our pulses quickened. Were they going to bomb the camp? Was the secret out? . . . Was this the end of Auschwitz?”

The Allied planes were actually bombing German oil factories in and around the Auschwitz complex. The idea of bombing the death camp had not yet been proposed to the Allied leadership, and details such as the location of the gas chambers and crematoria were not yet known to the Allied war command. But that was about to change.

On April 10, in the dead of night, Vrba and Wetzler emerged from the woodpile and began an 11-day, 80-mile trek to Slovakia. There they met with Jewish leaders and dictated a 30-page report that came to be known as the Auschwitz Protocols. It included detailed maps pinpointing the gas chambers and crematoria and warnings of the impending slaughter of Hungary’s Jews.

“One million Hungarian [Jews] are going to die,” Vrba told them. “Auschwitz is ready for them. But if you tell them now, they will rebel. They will never go to the ovens.”

A copy of the report was given to Rudolf Kastner, a Budapest Jewish leader. Instead of publicizing the information, Kastner negotiated their resettlement and returned to Budapest. For his involvement in bribing the Germans to permit a train with 1,684 of his relatives, friends and Hungarian Jewish leaders to leave the country, Kastner’s action became the centerpiece of a controversial trial in Israel after the war.

Another copy of Vrba’s Auschwitz Protocols was given to Rabbi Michael Dov Weissmandl, a rescue activist in Bratislava, who then wrote the first known appeal for the use of Allied air power to disrupt the mass murder. Weissmandl passed information to the Allies to bomb the railroad lines between Hungary and Auschwitz reached the Roosevelt administration in June.
Assistant secretary of war John McCloy responded that the request was "impracticable" because it would require "diversion of considerable air support essential to the success of our forces now engaged in decisive operations." He also claimed the War Department's standing policy that no military resource was allocated for "rescuing victims of enemy oppression.

Vrba's report convinced the Jewish Agency leadership in Palestine to change its position on bombing. Ageny leaders initially opposed bombing Auschwitz because they believed it was a labor camp, not a death camp. But after receiving the Auschwitz Protocols in June, agency officials lobbied British, American and Soviet officials to bomb the camp or the railways leading to it. Their requests were rebuffed.

Most important, a condensed version of the Auschwitz Protocols reached the U.S. Government's War Refugee Board in June. It helped galvanize the board to mobilize international pressure on the Soviets to deportations to Auschwitz. Although that effort came too late for the more than 400,000 Hungarian Jews who had been shipped to their doom, it did spare the 200,000-plus who were still alive in Budapest.

The full version of the Vrba report was actually held up in Switzerland for three months by U.S. diplomats who regarded it as low priority. And when the report finally reached Washington in October, the Office of War Information opposed distributing it. OWI director Elmer Davis claimed the report was actually part of a Nazi conspiracy to "create contempt for the [Jewish] inmates" by showing that the Jews were not resisting their killers.

Postwar tellings and his cockamamie theories were too late to blunt the impact of the Auschwitz Protocols. The Hungarian deportations had been stopped, and Rudolf Vrba and Alfred Wetzler had played a significant role in bringing that about.

So it was shed up by U.S. diplomats, who regarded Auschwitz, in this situation, as a low priority.

I will show you a picture of what is happening in North Korea. These are North Koreans who starved to death. These pictures were smuggled out by activists who wanted us to see what is taking place there. There are reliable estimates that up to 10 percent of the North Korean population has been starved to death in a gulag system, which I have spoken about many times on this floor, or by a regime that willfully gives food to those they deem reliable and willfully keeps food away from those they deem unreliable—including innocent children.

This is taking place today on Holocaust Remembrance Day, in full view of the world, with full knowledge of U.S. diplomatic officials and with the knowledge that this has been going on for some time. They have deemed it a low priority, that it is not essential for us to deal with it at this time, that we have more important obligations to the world and to ourselves. And they starve and they die.

The situation in North Korea has been studied fairly in depth. Here is a report done by the Committee for Human Rights in North Korea, chaired by Vaclav Havel and Eli Wiesel, among others. There is an Ongoing Challenge in North Korea," about the starvation at the gulags. Here is another report titled "North Korea: Republic of Torture." They gave this report. And we have our own report by the Congressional Research Service, titled "North Korean Refugees in China and Human Rights Issues: International Response and U.S. Policy Options." So we have a number of studies. Ambassador Hill knows these quite well.

Here on Holocaust Remembrance Day, this sounds eerily familiar—deeming this a low priority, saying that we have other more urgent needs and we should not divert resources or attention to those things. And they continue to die. It seems as if we have seen this play before. It always saddens me to see this play. I don't like it.

The title for this year's Holocaust Remembrance Day is "Never Again: What We Can Learn from the Past." I think that title could not be more appropriate when we are debating the new potential Ambassador who will go to Iraq. It does matter. This has been a matter that for some length of time I have negotiated with this Ambassador—to elevate this issue in North Korea. But it hasn't taken place. And we continue to see this situation.

I guess you could say: Well, OK, we could do that. We must have gotten a good deal for letting this situation be ignored. Yet as articulated last night—actually it will be worthwhile to go through it right now.

Let's look at the deal we got from the North Koreans in the six-party talks. Let's put these guys on the side bench. We are not going to consider them right now. It is low priority.

This is what the United States got out of the six-party talks where we set aside the human rights issue—not now, we say. We envoy North Korea. We envoy there for human rights, even though the Congress passed a bill, the North Korean Human Rights Act, after we have done all these things, but, OK, we are going to set aside right now before we got a good deal in the six-party talks out of the North Koreans. I know they are difficult to deal with, tough negotiators, crazy, but we got a good deal this time.

What we got out of it was we obtained an indirect declaration from North Korea in which the United States was unable to verify. They gave us a declaration, and we could not verify it. It was incomplete. It was also radio-active, which is spiteful on the part of the North Koreans. The actual report was radioactive. They implored a cooling tower at Yongbyon—a little bit of theater, a camera shot, a photo op. It did not stop them from producing nuclear material that is strapped to a bomb in this spot. They are even saying now they are going to produce there.

In the last 2 weeks, they have launched a missile that flew over Japan and has a range to reach the western United States. They have captured and detained two U.S. citizens who were reporting on this situation.

They are being investigated for selling nuclear material to Iran. That is what has happened in the last 2 weeks. They pulled out of the six-party talks and kicked out U.N. inspectors. That has happened. That was the deal we got.

What did the North Korean regime get? So we could set aside this sort of human rights mess there and kind of ignore that? What did they get? They got delisted as a state sponsor of terrorism. They were able to access funds they had in an international bank. Perhaps those websites by selling drugs or by printing U.S. currency, which they are greatly proficient at doing. They obtained key waivers of U.S. sanctions imposed after the regime's illegal nuclear detonation in 2006. So we waived those sanctions. Then they got off the terrorism list. They received tens of millions of dollars worth of U.S. energy assistance, fuel oil we gave them. That is what the Soviets used to give the North Koreans. Now the United States is giving it to North Korea. They were allowed to continue totalitarian oppression and starvation of the North Korean people and continued operation of a gulag of concentration camps for political dissidents. They were never required to release or reach for all abductees or POWs or acknowledge a clandestine uranium enrichment program or their role in Syria's reactor bombed by the Israelis. That was a North Korean-designed reactor. They didn't have to say: This is what we did with that. They were able to test ballistic missile technology in violation of U.N. Security Council sanctions without any meaningful consequences. That was the deal we got, and that was the deal North Koreans got. We called off the human rights issue, which I was pushing and a number of people here were pushing for years, holding up different things in the system saying, you have to deal with this because we don't like these pictures; we know what is going on; you have to stop it. No, we have to put all that aside; this is a great deal. It was a terrible deal.

Who was the head of all these negotiations? That was the head of all these negotiations. That is the individual we are not going to promote to the lead diplomatic post around the world for us, Ambassador Chris Hill, nominated to be our Ambassador to...
Iraq at the very point in time when those negotiations are moving into the most important diplomatic phase, more from the military phase to the diplomatic phase. This is the key person, this is our lead person on the ground, this is our representative to the Iraqi people whom we put in place, and this is the deal he got in his last assignment. Let’s set aside those nettlesome human rights issues that always seem to pop up and get in the way.

On its face, we should not put the individual who negotiated that bad deal and ignored that terrible situation into our best and most important post around the world. We should not do that. And certainly adding insult to injury, doing it on Holocaust Remembrance Day when we have a modern equivalent—not an equivalent, that is not fair to say—we have a systematic modern killing by a government of millions of North Koreans, and that is taking place now.

One can say, I guess, there is nobody else who would take the post in Iraq. And yet CNN was reporting the story about General Zinni, a highly decorated individual of our Government, being offered the post of Ambassador to Iraq by Secretary of State Hillary Clinton, being congratulated by Vice President Joe Biden, and then mysteriously it is pulled back and he is not given the post. Here General Zinni, a highly qualified and capable individual of what is taking place in the region—he was certainly a skeptic on parts of the war, an individual with whom I disagreed, but he had his basis to do that—that this individual who was initially nominated for this post or initially put forward and then suddenly is abruptly pulled out and instead they bring forward an individual who negotiated this bad deal.

Why not General Zinni? If people are so upset, I guess rightly they should be, that we do not have anybody in that post, why did they throw the last ambassador out so quickly before we got this one in or bring in General Zinni who doesn’t have these questions and problems and doesn’t have this history of a horrific failure. Why not General Zinni? We can move him through fast. No problem. He is knowledgeable and qualified, not this controversial background nor this ignoring of a human rights disaster in North Korea as being problematic and nettlesome and harmful to the overall debate.

Never again, as we say, never again are we going to let this sort of situation bubble up on us. Never again Rwanda. Never again a holocaust. Never again, as it happens today.

I want to go through what is happening. I have a number of points I want to cover, but let me start with this. I had a lengthy and ongoing discussion with Ambassador Hill about the human rights issues overall with North Korea and the problems with it. He refused to invite the Special Envoy Jay Lefkowitz to those negotiations. I talked directly with Jay Lefkowitz since that period of time. Jay said he was never invited by anybody or by Mr. Hill to the six-party talks or any associated talks. He was kept away from them.

There has been a refusal by Ambassador Hill to comply with the North Korean Human Rights Act. He refused to make use of resources at his disposal to assist in bringing out the human rights issues overall. I want to go through the record what Ambassador Hill said. We had this ongoing negotiation. I know there is some question about what he actually committed to. I have been talking with people in the State Department for some period of time. They continue to say: No, we are not going to do human rights, but we might do something, this or that. I said: It is not good enough: it needs to be involved in the actual negotiations and is actually a part of the process to get it under control and getting it to stop doing the terrible things it is doing now if you bring up the human rights issues. When you put exterior pressure on North Korea—you get the missiles, nuclear development—the leader can say to his own people: They are threatening us and we have to stand together and be protected. When you talk about human rights, this is what he is doing to his own people. It weakens the regime. They refused to bring that up.

In a hearing before the Armed Services Committee on the six-party talks and implementation activities, Ambassador Hill spoke. Senator John Warner worked with me, saying: Will you work with Ambassador Hill? Yes, if he includes the Special Envoy for human rights in these talks. If he agrees, fine, let’s get it out in a public hearing and out on the record and move forward with it. It’s a shame that this hearing on July 31 of last year. I was there. I asked Ambassador Hill: . . . will you state that the Special Envoy will be invited to all future negotiating sessions with North Korea?

That was my question in a public hearing on the record. This was choreographed ahead of time. I asked: . . . will you state that the Special Envoy will be invited to all future negotiating sessions with North Korea?

“All future negotiating sessions with North Korea.”

Ambassador Hill: I would be happy to invite him to all future negotiating sessions with North Korea.

Senator BROWNBACK: Thank you. Those are two sentences. As a lawyer, that is pretty clear. It is “all.” It says “all.” We both say “all.” It is not, well, OK, I meant this group, not that group. Tensions there was no parsing of words because I knew this is what would take place if I did not get a complete statement, and it was a complete statement—all future negotiating sessions. “I would be happy to invite him to all future negotiating sessions with North Korea,” and that did not occur.

We received a statement from Jay Lefkowitz who was our Special Envoy to North Korea. I talked with Jay about this. Let me dig up the statement he sent back to me on the specifics of whether he was invited to any of those sessions. He said he was invited to none of them. Yet here is a statement that he will be invited to none of them. Jay Lefkowitz: I was invited to none.

Misleading or lying to a Member of Congress at the Senate Committee on Armed Services by the individual we now are asked to trust with the most important accountability. He is going to be an individual who is going to come back to this body and he is going to be asking for resources, he is going to be asking for different things for the Congress to do. This is an individual I have had some depth of experience with and I am going to question what he is asking and what he is guaranteeing then in the process, if this is the way he has dealt with me on a very specific, a very clear issue that has come forward.

A number of my colleagues have questions about his overall qualifications to go to the region in Iraq with no prior experience there, when you have an individual such as General Zinni who wants to take the post and has enormous experience in the types of things about which we are talking. I think this is lamentable. I put in a bill last night. It calls for resanctioning North Korea with the sanctions that were lifted off this deal that the Bush Administration used for the purposes of resanctioning North Korea, putting it back on the terrorism list, not sending them more fuel oil, funds to have at their disposal from us, fuel oil to fuel their economy. I think this is appropriate for us to be discussing at this point in time since the individual who negotiated that deal is the one we are considering for this next future negotiation.

It is my hope that we can bring that bill up, that we can get some sort of vote on it. I remain hopeful and I know President Obama is very concerned about what is taking place in North Korea. He stated it, he stated very publicly that he is concerned about it. He stated it as a candidate, and he stated it as a Senator.

I want to put up a quote from Candidate Obama who was also then Senator Obama at that point in time about what he was saying about North Korea. He said this:

“Sanctions are a critical part of our leverage to pressure North Korea to act. They should only be lifted based on North Korean performance. If the North Koreans do not meet their obligations, we should move quickly to re-impose sanctions that have been waived, and consider new restrictions going forward.”

This is Candidate Obama, Senator Obama, now President Obama, what he stated on June 26, 2008.

What is the performance by North Korea? I have gone through this. I think it is worth noting, but the most obvious one is a big missile test that
took place less than 2 weeks ago. They are now restarting a nuclear reactor. They are being investigated for sending nuclear material to Iran. The North Koreans have arrested two U.S. citizens. That is the performance that has taken place not only in Iran and to an international body, the U.N., and they are using this purpose to put sanctions on them. I am saying we ought to put our own sanctions back on based on what our President said, as a candidate at that time.

In deference to several of my colleagues, I have much more to say, but I will allow others to speak, and then I will come back later in the day to speak further.

With that, at this point in time, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, I rise to speak on behalf of Ambassador Hill. First of all, I wish to commend my colleagues by a vote of 73 to 17 the Senate confirmed the nomination of Ambassador Chris Hill to serve as our Ambassador to Iraq, and I cast a vote for him. I did not get the chance yesterday to speak prior to the vote, so I will use a couple more minutes today because I think this is an important issue. Its not just about Chris Hill but also about how we conduct diplomacy and about a professional, an individual who has served in administrations, regardless of politics or party, but also whether it is essential and important, in my view, that we have a cadre of professional people in our diplomatic corps who can serve both Democratic and Republican administrations with dignity, with professionalism, with brilliance in this case, and that we recognize them. That will necessitate from time to time that there will be a change in policies, but having individuals who are able to accommodate those changes and serve the interests of our country, a highly professional capacity is something to be celebrated, in my view, and something we need more of, not less. My support for Chris Hill's nomination is not to suggest that I necessarily agreed with every decision he made when he served at the discretion of Condeleeza Rice and President Bush but because he did so professionally and with great capacity. That willingness is something I believe we need to celebrate, as I said a moment ago, more often.

Chris Hill is one of America's most accomplished Ambassadors and diplomats. He has served as Ambassador of our country to Macedonia, to Poland, and South Korea, as Special Envoy to Kosovo, and as a key negotiator of the 1995 Dayton Accords. He has been the Assistant Secretary of State for East Asia, and the Special Envoy to the six-party talks on North Korea's nuclear program. His experience, tremendous professionalism, and keen analytical skills have made Ambassador Hill uniquely qualified, I believe, to serve as Ambassador to Iraq.

It is high time the Senate confirmed him. This has gone on too long, given the importance of that Nation and the very precarious situation Iraq is in as it transitions from a nation at war with itself to the political stability we all hope will be achieved.

It was the purpose of the surge in Iraq was to create the breathing space for the Iraqis to engage in political reconciliation and the political processes that would enable the Government to address some decisions to rely less on American Security forces while doing so. The reduction in violence is a very positive sign and one that all of us welcome. But we must ask ourselves some critical questions as well: Have the fundamentals in Iraq changed? Is this reduction in violence organic or temporary? Is it sustainable? Have the fundamental roadblocks to political reconciliation been removed? How real is that progress? How fragile is it? Given the answers to these questions, what strategy would the United States employ in Iraq?

I believe we made the correct decision yesterday by a vote of 73 to 17 that Ambassador Hill is the right person to analyze these questions. He has a world wealth of experience, a difficult mission, places around the globe. While he lacks the so-called direct experience in this part of the world, the skill sets he brings to this are absolutely essential, in my view, to navigate these very difficult issues I have raised. So we need to recognize that.

I also believe he is the right individual because he has demonstrated a solid grasp of the complex Iraqi reality, as well as a commitment to working toward reconciliation in Iraq and helping build an inclusive and responsive government that meets the needs of its people, while allowing American forces to quickly withdraw in the most responsible way possible.

Mr. ALEXANDER. Madam President, I yield the floor.

Mr. DODD. Unfortunately and regrettably have put hard enough against North Korea on its deplorable human rights record. North Korea's human rights practices are horrific. We all know it. I know of no one, including Ambassador Hill, who thinks otherwise. But to claim Ambassador Hill somehow failed to press hard enough against the so-called direct experience in this complex matter, particularly when the reduction of a nuclear threat was the primary objective of those efforts.

Ambassador Hill, has earned the support of the chair and ranking member of the Foreign Relations Committee and has answered all our questions on that committee, and I believe it is time we stopped delaying and send this Ambassador to Baghdad, where he is needed to carry out the critical missions of our Nation and advance the interests of our Nation, I know it is not always the case that we are lucky to have such a talented and dedicated public servant to take on this daunting task, and I would urge my colleagues to support his nomination.

I referred earlier to the vote yesterday. That vote was on a cloture motion to go to Ambassador Chris Hill's nomination. When I said it was a vote on his nomination—that vote of 73 to 17—it was a vote that allows us to get to the vote on the nomination. I want to confounding the cloture motion with the vote to come on his nomination, which will occur at some point in the next day or two. Again, I urge my colleagues to be supportive in the nomination as they were on the cloture motion. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.
every year because of the natural beauty of our landscape. They do not come to Tennessee to see the smog, they do not come to Tennessee to see creeks polluted by mountaintop mining, and they don’t come to Tennessee to see ridgetop wind turbines that are three times as tall as our University of Tennessee football stadium, which, with their transmission lines, would create a junkyard in the sky.

The American landscape is a part of our environment. It is essential to the American character. From John Muir and Theodore Roosevelt to Lady Bird Johnson, generations of Americans have worked to protect the landscape. Some of the same groups that have worked hardest to protect the landscape are neglecting it in pursuit of remedies for climate change.

I am working with three Democratic Members of Congress to try to protect the American landscape. The first is Senator Tom CARPER of Delaware. He and I introduced legislation that would create stiffer controls on sulfur, nitrogen, and mercury emissions from coal plants. We have the technology to make the air cleaner, and we should be using it. There is no need to delay dealing with sulfur, nitrogen, and mercury when we figure out what to do about carbon.

Secondly, Senator CARDEIN of Maryland and I have introduced legislation to ban the practice of blowing off the tops of mountains and dumping the waste in streams to mine coal. Coal is essential to our energy future. I hope we will reserve a Nobel Prize for the scientist who finds a way to deal with the carbon from existing coal plants. But we will create many more jobs by saving our mountaintops to attract tourists than we will by blowing them up to find coal, especially because our State produces less than 2 percent of the Nation’s coal.

Finally, Representative HEATH SULLIVAN of North Carolina and I hosted a forum in Knoxville highlighting the Tennessee Valley Authority and their choices for renewable energy. Conservation and nuclear power are realistic options for clean electricity for our region, and we should move ahead aggressively with both. But solar power, for the longer term; underwater river turbines in the Mississippi River; biomass, such as wood chips; and methane from landfills are all good choices for renewable electricity as well.

Some of the same groups that have worked to protect the landscape, which is also an essential part of the American environment, have worked to protect the environment. It is essential to our energy future. I hope we will reserve a Nobel Prize for the scientist who figures out what to do about carbon.

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Finally, Representative HEATH SULLIVAN of North Carolina and I hosted a forum in Knoxville highlighting the Tennessee Valley Authority and their choices for renewable energy. Conservation and nuclear power are realistic options for clean electricity for our region, and we should move ahead aggressively with both. But solar power, for the longer term; underwater river turbines in the Mississippi River; biomass, such as wood chips; and methane from landfills are all good choices for renewable electricity as well.

On the other hand, the idea of polluting our landscape with 500-foot wind turbines and their transmission towers is preposterous. It makes no sense to destroy the environment in the name of saving the environment, especially since the wind only blows about 18 percent of the time at TVA’s one wind farm. And much of that is at night, when TVA already has thousands of unused megawatts of electricity that we could be using. TVA should take the $60 million it was spending to build 5 megawatts of unreliable wind power and instead buy 10 compact fluorescent light bulbs for every TVA household, which, if used, would save about 920 megawatts of reliable power—the equivalent of an entire nuclear plant.

Senator CARPER and I will host a roundtable this Thursday in the Capitol on our legislation to establish stiff standards for sulfur, nitrogen, and mercury emissions from coal plants. We have the technology to make the air cleaner, and we should be using it. There is no need to delay dealing with sulfur, nitrogen, and mercury when we figure out what to do about carbon.

During each of the 2-year Congresses in which I have been a Senator, I have introduced legislation to curb pollutants from coal plants, including carbon. Tomorrow is Earth Day and a good day to save our mountaintops. The way we should do that is to have stiffer controls for cleaner air, to ban mountaintop removal for coal mining, and to stop the practice of wasting ratepayer dollars for ridgetop wind turbines that destroy the landscape, which is also an essential part of the American environment. I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Madam President, I thank the Chair.

(The remarks of Mr. CASEY pertaining to the introduction of S. 839 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. CASEY. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DURBIN. Madam President, in late February, President Obama made an announcement to thousands of military personnel—most of them, I think, American civilians, that he was going to announce a significant handover of authority and a peaceful conclusion to this war. We will be working with the Iraqi Government throughout this transition to make certain we do everything in our power to have a meaningful handover of authority and a stable Iraq left behind. We are going to have 35- to 50,000 transitional forces that will remain to train and advise Iraqi security forces, to conduct counterterrorism operations, and to protect civilians. The President has indicated that this is a difficult and challenging situation. The American civilian and military personnel who have served in Iraq have been tested, and they have shown the pragmatism and the skill that we need right now.

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sits: Stop talking, Senators, and get down to business. Make a decision once in a while.

Do you know what the vote was yesterday? It was 73 to 17. That means that not only the 57 Democrats who are here, but also the 16 Republicans who joined us and said: Let's get this moving.

How do we find ourselves in this position where the President wants to send the most important civil representative of our Government to a country where American soldiers' lives are at risk and the Senate wrings its hands and says: Well, maybe we ought to wait a few days; maybe we ought to wait a few weeks; maybe we ought to let this sit over the Easter recess while we eat our Peeps and jellybeans. I do not buy that. This is a critical decision for America's security interests. Sending a diplomat of the skill of Christopher Hill is absolutely essential to protect America's interests, to protect the American military leaders of Iraq, to make certain that we have an ongoing relationship with the Iraqis, so that our service men and women can come home safely and Iraq will be stable and safe afterward. There is no reason to delay this 1 minute more. We should vote on Christopher Hill's nomination immediately.

Why are we denying this? Why are we delaying this when 73 Senators yesterday said: Do it. That is enough. There are enough Senators to get this job done.

President Obama stated a clear goal here: ending our combat mission in Iraq by August 31, 2010. When the combat mission ends, the United States will still leave behind in Iraq the largest American Embassy in the world, where we will maintain a diplomatic mission to help a country still struggling to build stability and democracy. Is there anyone who questions whether we need an ambassador to be in that Embassy? Shouldn't that person have been there weeks ago instead of being delayed by the other side in the Senate?

I do not deny to any Senator the right to speak, express their concerns or reservations about any appointment. I do not deny to any committee of this Senate the opportunity to have a hearing, which Ambassador Hill did have. All of that happened in the regular order. At the end of the day yesterday, Democratic and Republican Senators said: Get on with it. Still, we languish over this nomination at this very moment. The military leaders, American military leaders of Iraq, have been begging this Senate to do its job and send an ambassador who can complement the fine work of General Odierno in Iraq. We continue to delay.

The President's plan for Iraq is measured and thoughtful and will bring a resolution to this war. It sends a message but it Iraqi political leadership that they have to take responsibility for their own future. It takes into consideration the concerns and recommendations of the senior military leaders regarding the time for the drawdown and the manner in which it will be implemented. It frees resources for the real battle against al-Qaida in Afghanistan, which was the source of the 9/11 attacks. It includes comprehensive engagement with all of the countries of the region not only on the future of Iraq but on other important regional challenges. It begins to put an end to the extraordinary cost to America and American families in terms of lives and dollars that the Iraqi war has entailed.

Our military men and women have served heroically in Iraq. I have been there to visit them. I have been several times in my home State to see our Guard units take off and join the conflict. I have been there to welcome them home, attended the funerals. We could not ask for anything more. They have given us so much, and they continue to do so as we meet in the safety of the Senate Chamber here in the Capitol. More than 4,300 Americans have been killed. 165 from my home State of Illinois. When the war started, I said I would write a note to the families who lost soldiers from my State. Little did I dream that years later I would still be signing those notes, as I did yesterday. Thousands have suffered serious physical and psychological injuries. That is the real cost of this war. Civilian experts in and out of the Government have also served with distinction and paid a price. Thousands of innocent Iraqis have died. I have seen firsthand the dangerously hard work our soldiers face.

We owe them gratitude and admiration, but we also owe them our best efforts to make certain we bring this war in Iraq to an end in the best possible way. President Obama has the strategy, but to implement this strategy we need an experienced ambassador in Iraq without any further delay.

I wonder what would have happened under the previous administration if the Democrats had held up a key appointment of an ambassador to Iraq in the midst of a war. Well, I can tell you what would have happened: The right-wing radio would have gone crazy, talking about endangering American servicemen by not filling this critical position. We would have speeches on the floor about shirking our responsibility. And we cannot go home for a break until we send a full complement of our best and brightest to represent America in Iraq. I can almost predict that would have happened if we had been so shortsighted under the previous administration as to hold back a career diplomat such as Christopher Hill.

Well, it has happened here, and it is happened for too long. It is unforgivable. It is inexcusable. Members have had plenty of time to give their speeches, to express their concerns, even to vote no, which is their right to do if they believe this man is not the right person for the job. But it is time for us to get on with this important mission. We owe it to those men and women who are risking their lives in Iraq. We owe it to all who have served there and to the American people who have sustained this war, as expensive as it has been in terms of life and costs. It is time for us to stop wasting time. It is time for us to fill this position and send Christopher Hill to be the U.S. Ambassador to Iraq.

Mr. DURBIN. Madam President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m. Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRELL).

NOMINATION OF CHRISTOPHER R. HILL TO BE AMBASSADOR TO IRAQ—Continued

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I trust we are not in a quorum call.

The PRESIDING OFFICER. We are not.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak as in morning business and that Senator BROWNBACK be recognized following my presentation.

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

(remarks of Mr. DORGAN are printed in today's Record under "Morning Business.")

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise to speak on the Chris Hill nomination to be Ambassador to Iraq. I am opposed to that nomination. A number of issues have been raised on this nomination. I want to talk about to try to put some factual setting associated with that.

First, though, I wish to have printed in the Record at the end of my statement a Jerusalem Post online edition article dated yesterday that I read extensively from in my first presentation regarding the 65th anniversary of the escape from Auschwitz. I ask unanimous consent to have that article printed in the Record at the end of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. BROWNBACK. I want to note for my colleagues, I read extensively from this article and did not cite that during my initial presentation. I want to make sure they know this came from that reporter and that we were putting that in.

Second, there has been a lot of discussion here about: OK, we have to get this person confirmed. We have to get him out, and it is a terrible shame it has not taken place to date.
I agree we need an ambassador to Iraq. There is no question about that. I appreciate my colleagues’ concern about getting an ambassador to Iraq. I would note, there is one who does not have the controversy this one has who was offered the post initially, who accepted it, and somehow mysteriously withdrawn. So there was a person we could have gone forward with, who had accepted it, and for some reason it was pulled back.

Yesterday, CNN was talking to General Zinni, our former Secretary of Defense, Dr. Zinni, and I wish to quote from this report from yesterday.

Zinni told CNN Monday he hasn’t been given any explanation about why the offer he got in January for the post—

“This is U.S. Ambassador to Iraq—

which he accepted was abruptly taken back. Zinni confirmed in an e-mail that he was asked to take the job by Secretary of State Hillary Clinton, and even congratulated by Vice President Joe Biden, but then the offer was revoked and extended to Hill, a development Zinni says he heard on the news. Zinni is a retired four-star Marine general and former head of Central Command. Like President Barack Obama, he was an early critic of the Iraqi war.

He would seem like a likely—logically, actually—pick for our Ambassador to Iraq, putting forward somebody whom I could have seen supporting. He is knowledgeable of the region and not with a history of deception toward this body or of problems dealing with human rights issues.

To many colleagues who put forward: We have to get this done, it is a terrible tragedy you are holding this up, well, why didn’t you nominate somebody such as Retired General Zinni, or why did you pick him and then pull him back? That might be a more interesting note to find out. It would be interesting to me, anyway and, I would hope, to a number of other people.

The reason I have trouble with this nominee is because of this nominee’s past and lack of concern on human rights. And we are giving him this great, huge assignment for past performance, lack of concern on nominee is because of this nominee’s hope, to a number of other people.

To support that, I wish to put forward as well some thoughts from others of my colleagues who are concerned about human rights. I have cited my own discussion with him. I have cited previously, but I think this bears putting forward to my colleagues again, Jay Lefkowitz was our North Korean Human Rights Special Envoy, who was appointed pursuant to the North Korean Human Rights Act that this body passed and the President signed, and Jay LeFkowitz wrote to me:

At no point did my tenure as special envoy for human rights in North Korea, either before or after July 31, 2008, did Chris Hill or anyone acting on his behalf invite me to participate in any six party talks; any, none, not at all, Jay.

This is after Chris Hill had stated in open testimony before the Senate Armed Services Committee, when I was asking him:

Will you state that the special envoy will be invited to all future negotiating sessions with North Korea?

Ambassador Hill responds:

I would be happy to invite him to all future negotiating sessions with North Korea.

This is on the Record. This is Jay LeFkowitz’s statement.

I ask unanimous consent that both of those be printed in the RECORD after my statement.

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

Mr. BROWNBACK. Mr. President, a number of my colleagues will know Congressman Frank Wolf from the House side as a wonderful human rights advocate and have been for a number of years. He is deeply concerned about human rights issues overall. He has worked these issues for a long period of time. He is a fabulous man on these topics. He wrote Ambassador Hill on February 5, 2009, this to Ambassador Hill on his nomination to go into Iraq:

While I do not question your qualifications as a diplomat, I must be frank in telling you that I was often disappointed in your approach to diplomacy with North Korea, specifically, your marginalization and often times seeming utter neglect of human rights. In a Washington Post piece Michael Gerson described your handling of America’s North Korea policy in this way—

Now, Michael Gerson was on the inside of the Bush White House and cites to Ambassador Hill as shaping United States-North Korea policy, and Michael Gerson writes this:

Hill has been a tireless advocate of preemptive diplomatic concessions—

preemptive diplomatic concessions—and the exclusion of human rights issues from reports and negotiations.

That is the end of the quote from Gerson.

It is difficult to know how much the policy you are pursuing is consistent with the President and the Secretary’s aims or whether you were in fact the chief architect and advocate of this approach. Regardless, while Iraq and North Korea are obviously two very different countries, it gives me pause as I consider the human rights challenges confronting Iraq’s ethnico-religious minorities who are increasingly under siege.

This is taking place in Iraq today. We have all these human rights abuses that are boiling in Iraq today, and now we want to send a guy who has a highly questionable record on human rights in his last assignment.

Frank Wolf goes on:

More than 500,000 Christians, or roughly 50 percent of the ethnic minority, have fled Iraq since 2003. Even though Christians make up only 3 percent of the country’s population, according to the U.N. High Commission for Refugees, they comprise nearly half of all refugees leaving Iraq. As Iraq has continued to stabilize, these minority populations, including the aging Christian community—some of whom still speak Aramaic—have become increasingly vulnerable to marginalization and increasing attacks, of the sort we witnessed in Mosul this past fall.

This is from Congressman Frank Wolf.

We have a history of bad human rights in dealing with North Korea and we have a bubbling problem, a current problem in Iraq, and we send Chris Hill who has had big difficulty in dealing with it.

I ask unanimous consent to have this printed in the RECORD at the end of my statement.

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

Mr. BROWNBACK. Finally, in this tranche, there was a letter sent—this is on January 28 of 2005 and it was to the Permanent Representative of the Democratic People’s Republic of Korea to the U.N., our contact point with North Korea diplomatically. It was addressed to Ambassador Pak. It states:

This letter is to inform you and your government of the distress with which the undesignated Members of the Illinois Congressional Delegation received the finding from the Seoul Central District Prosecutor’s Office on December 14, 2004 that South Korean citizen and U.S. Permanent resident Revere Dong-Shik had been abducted by agents of your government in northeast China in January of 2000 and taken forcibly into North Korea. The South Korean government regretfully has, by its own admission, been involved in the abduction of a number of Japanese citizens as well as an even greater number of South Korean citizens.

Reverend Kim Dong-Shik, as you may be aware, is the spouse of Mrs. Young Hwa Kim...
of Chicago, Illinois, and is the parent of U.S. citizens, one of whom is currently residing in Skokie, Illinois. Citizens from a Korean-American church in the Chicago area have also raised this matter as an issue of grave concern and requested congressional assistance in ascertaining the facts behind the disappearance and current whereabouts of Reverend Kim Dong-Shik. We believe that Reverend Kim and a delegation from Illinois will be visiting Capitol Hill in the near future.

The successful resolution of this case, therefore, is of great importance to us.

This is the Illinois delegation—both because of the constituent interest involved as well as because it is a case involving the most fundamental of human rights. Reverend Kim's efforts to save refugees escaping in an underground network to third countries, brings to mind two great heroes held in high esteem in the United States. The first is Mr. Harriet Tubman, who established an underground railroad allowing for the escape from slavery of those held in bondage before President Lincoln issued the emancipation proclamation, the second is the Swedish diplomat Raoul Wallenberg, who, during the dark days of the world conflict against fascism in the Second World War, rescued thousands of Jews trapped in Hungary. We view Reverend Kim Dong-Shik as also being a hero who assisted with the escape of the powerless and forgotten.

We also inform the Government of the Democratic People's Republic of Korea that we will not support the removal of your government from the State Department's list of sponsors of terrorism until such time, among other reasons, as a full accounting is provided to the Kim family regarding the fate of Reverend Kim Dong-Shik following his abduction into North Korea five years ago.

This is signed by U.S. Senators RICHARD J. DURBIN and Barack Obama. They signed this letter to our permanent representative, the permanent representative of North Korea to the U.N. on January 28 of 2005.

Well, those sanctions are now lifted. The guy who pushed for the lifting of them is now being pushed to be the Ambassador to Iraq, and Rev. Kim Dong-Shik is not known where he is. He is still somewhere abduction, hopefully alive—we don’t know—in North Korea.

I ask unanimous consent that this letter be printed in the RECORD at the end of my statement.

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

(See exhibit 6.)

Mr. BROWNBACK. When people say this is being held up and it is irresponsible, I didn’t do this. I am just quoting a number of Members of Congress. I am just quoting the President. I am just pointing to a human rights situation that our Ambassador to Iraq will go into, and saying, isn’t this reason enough to go with somebody? Now, that was Professor Zinn's point of Ambassador Hill in this situation?

Also, we haven’t been able to get information from the State Department. I had asked for the instructions they had given to Ambassador Hill. He had stated in committee testimony here that at one point in time he called it “inaudible” in the negotiations, and in that “inaudible” he made a change. We wanted to find out what State Department instructions were to him, or what they were to him on human rights issues, and that hasn’t been received by my office. We haven’t been able to get those back.

A number of my colleagues don’t remember, or they don’t cite to the period of time that Ambassador Hill was working on the Korean desk, but they do cite to what he did in Bosnia and say, OK, he was a successful diplomat, he did this; North Korea is tough, we are going to find out what’s going on, and now let’s put him in Iraq. Well, there are some real questionable records of what he did in the situation in the Balkans and in Bosnia. Here I have an article, dated March 22, of this year. I think it is very interesting and quite troubling. This is about one of the people who is charged with war crimes and his dealings with Ambassador Hill. I am going to quote from this article and enter it into the RECORD.

Every time Radovan Karadzic, the onetime Bosnian Serb leader, appears in court on war crimes charges, he has hammered on one recurring claim: a senior American official pledged that he would never be standing there being charged with war crimes.

The official, Richard C. Holbrooke, now a special envoy on Afghanistan and Pakistan for the Obama administration, has repeatedly denied promising Mr. Karadzic immunity from prosecution in exchange for abandoning power after the Bosnian war. But the record and different versions that recently emerged that line up with Mr. Karadzic's assertion, including a new historical study published by Purdue University in Indiana.

Charles W. Ingrao, the study's co-editor, said that three senior State Department officials, one of them retired, and several other people with knowledge of Mr. Holbrooke's activities, told him that Mr. Holbrooke assured Mr. Karadzic in July 1996 that he would not be pursued by the international war crimes tribunal in The Hague if he left politics.

Mr. Karadzic had already been charged by the tribunal with genocide and other crimes against civilians.

Now, you say, OK, that is charging Mr. Holbrooke, but let's see what the report writers go on to say about this. The Purdue University study, “Confronting the Yugoslav Controversies: A Scholars’ Initiative,” instructed its principal assistant, Christopher Hill, to draft the memorandum to be signed by Karadzic, committing him to give up power—

in exchange for not being charged with war crimes.

The author of the study said Mr. Holbrooke used Slobodan Milosevic, the then Serbian leader, and other Serbian officials as intermediaries to convey the promise of immunity and to reach the deal with Mr. Karadzic. “The agreement almost came to grief when Holbrooke vigorously refused Karadzic's demand, and Hill’s appeal, that he affix his signature to it,” the study says, citing unidentified State Department sources.

Chris Hill's name again.

The study, the product of 8 years of factual studies we have in examining what is taking place here.

A number of my colleagues say the North Korean situation is not relevant to the debate we are in today. I don’t know why it is not. When we run for office, people go look at our backgrounds and say what did they do in their past job to see if we ought to elect them for this one. People don't kind of walk into the Senate, there is an examination process that the public goes through. I don't know why we would not want to examine somebody to see their track record.

Some have suggested that the human rights issue kind of popped up in North Korea, and that we learned at the last minute, so that Chris Hill had to deal with this at a quick point so he should have had it aside to get the full deal.

This is a February 4, 2004 article on washingtonpost.com. This is written by Anne Applebaum. The title is “Auschwitz Under Our Noses.”

As I stated, it is Holocaust Remembrance Day today. This article talks about North Korea and what is taking place there in 2004. So this didn’t just pop up. There had been a documentary put forward by the BBC describing the atrocities in North Korea. I will read one section that is incredible. It says this:

Look, for example, at the international reaction to a documentary, aired last Sunday night on the BBC. It described atrocities committed in the concentration camps of contemporary North Korea, where, it was alleged, chemical weapons are tested on prisoners. Central to the film was the testimony of Kwon Hyuk, a former administrator at a North Korean camp.
Mr. BROWNBACK. I am contacting colleagues now. We don’t have that of-
officially tied down yet so that I can re-
respond at this time. I appreciate my col-
league from Massachusetts saying that,
as I understand, there will be a hearing on North Korean—not nec-
essarily this month. Although, I hope it
will be covered, but also on pos-
sible sanctions on North Korea. I ap-
preciate that being worked on to ad-
dress some of these concerns. I will be
raising, as well—while my colleague is
here—that we could get a supple-
mental bill support for the North Ko-
orean regime that is beyond humani-
tarian aid, particularly as these things
are surfacing now. I realize that is not
the Senator’s committee, but I want to
make my colleagues, who know the sit-
uation well, aware of these points that
I will be raising.

Mr. KERRY. Let me say that every
one of us shares the outrage at the type
of government and the way in which
many of the people are living in this
country. I commend the Senator from
Kansas for calling the country’s atten-
tion to the world’s attention and the
Senator’s at this moment to it. We will
have a hearing on May 6. It will be a
comprehensive hearing on North Korea.
It will involve all of the issues with
respect to North Korea. We wel-
come that. That is an appropriate role
for us.

But it is also appropriate for us to
try to pinpoint a time. That is what I
would like to leave for Iraq tomorrow.
So we wish, if we can, to have a sense
of the timing on the vote. If we can
get an agreement here, maybe I
could—how many Senators are plan-
ning to speak on the Senator’s side of
the aisle?

Mr. BROWNBACK. Mr. President,
we have three who are lined up to speak.
There are Senators MCCAIN and KYL,
who have scheduling issues later in the
day. That is what I am trying to get
firmed up. I am not trying to delay my
colleagues.

Mr. KERRY. I understood that Sen-
ator MCCAIN was going to try to speak
at 3:30, which is about 35 minutes from
now. We are prepared not to have any
further speakers on our side.

I will propound a request. I ask unan-
imous consent that we allow the Sen-
ator from Kansas to control the time,
but for, say, 10 minutes between now
and the hour of 5 o’clock, and that the
vote be at 5 o’clock. I ask for an order
to that effect.

Mr. BROWNBACK. Mr. President, I
have to object at this time. I simply
don’t know when Senator KYL can
speak, and he desires to speak. Until I
can determine that, I cannot agree for
others of my colleagues.

The PRESIDING OFFICER. Objec-
tion is heard.

Mr. KERRY. I respect that, but I also
know how the Senate works. I have 26
years here, and I will commit to this,
I have a meeting going on, but I will be
back in about 20 minutes. I hope we
can find Senator KYL between now and
then, pin down the time for him, and
get an agreement. I think it is impor-
tant for the Senate to get its business
done. Is that agreeable to the Senator
from Kansas?

Mr. BROWNBACK. If we can locate
him and if there are not others.

Mr. KERRY. If we cannot contact a
member of the Senate who is in the
leadership—surely we can find one of
the leaders of the Senate in 20 minutes.
Mr. BROWNBACK. I have said what I
can.

Mr. KERRY. I will be back at a quar-
ter after, and I hope we can propound
an agreement at that time. I thank the
Senator for the interruption.

Mr. BROWNBACK. Mr. President, I
want to speak about another issue, be-
cause this caught a lot of what is in-
volved here. This is a 2004 article called
“An Auschwitz in Korea.” I had hoped
my colleague could stay and hear this,
but he has to leave.

This is to the point raised by a num-
ber of people that this was kind of
quick and the problem with human
rights was not known as an issue in
North Korea, and that we don’t know
about it. Chris Hill steps in and he has
to make the call that we are not going to
get to this sort of thing happen-
again on Holocaust Remembrance
Day.

That brings us to North Korea. In
2004, this author writes this. This was
in the press:

It is not exactly news that the Communist
regime of Kim Jong II has sent millions of
North Koreans to early graves. Estimates
back to 1998 were that as many as 800,000
people were dying in North Korea each year
from starvation and malnutrition caused by
Kim’s ruthless and irrational policies. World
Vision, a Christian relief organization, cal-
culated that 1 million to 2 million North Ko-
reans had been killed by “a full-scale famine”
largely of Pyongyang’s creation.

They created the famine and people die
off who don’t support the regime.

We have heard about that system be-
fore, and some of the purges that took
place in the Soviet Union.

The article also says:

Nor is it breaking news that North Korea
operates a vicious prison gulag—“not unlike
the worst labor camps built by Mao and Sta-
tin in the last century,” as NBC News re-
ported more than a year ago. Some 200,000
men, women, and children are held in these
slave-labor camps; hundreds of thousands of
others have perished in them over the years.
Some of the camps are so hellish that 20 per-
cent or more of their prisoners die from tor-
ture and abuse each year. The dead can be
of any age: North Korea’s longstanding policy
is to imprison not only those accused of such
“crimes” as practicing Christianity (one of
the very last moments they tried to save the kids
by doing mouth-to-mouth breathing.

I ask unanimous consent this article
be printed in the RECORD after my
statement.

The PRESIDING OFFICER. Without
objection, it is so ordered.
(See exhibit 6.)

Mr. KERRY. Will the Senator yield
for a procedural question?

Mr. BROWNBACK. Yes.

Mr. KERRY. I ask my colleague, if he
has a moment, to see whether we can
set a time for the vote with respect to
this issue.

Mr. BROWNBACK. If I may respond
through the Chair, I have contacted
colleagues. We are still confirming at
what time they will speak. Several col-
leagues want to speak. We are working
on that right now.

Mr. KERRY. Does the Senator have a
sense of when we could try to come
to some arrangement? A lot of Senators
on both sides of the aisle are trying to
arrange schedules, and the majority
leader is trying to deal with the ques-
tion of the legislative schedule. If we
can get a sense of that—I know the
Senator is trying to get at it. I think if
we could pin down this, that would be
helpful. I give the first sense of how
many Senators, when, and if we
will lock in their times and then lock
in a vote.
Mr. BROWNBACK. Mr. President, this is Camp 22. You can see it outlined, the size and scale. We have some other camp pictures that show this. I want to make sure everybody knows that on Holocaust Remembrance Day we show pictures of this. This is not some secret information. This is on Google Earth. Look it up yourself.

This picture is of outside the camp, the westbound coal train from Camp 22 where they do coal slave labor where people go in, but nobody comes out. They are worked to death, starved to death.

There are a couple books on this particular camp. The Auschwitz and Kolyma and the Cambodian genocides were completely focused on the book. This was written by a survivor and “Eyes of Tailless Animals” was written by Soon Ok Lee. Those are a couple books people can look at.

This is another picture from Google Earth. These are people in the concentration camp, this shows outside the fence. About 200,000 people we believe are in concentration camps in North Korea. Here is another picture, one of a concentration camp. Let me give my colleagues to get a briefing on this situation so they can look at the high resolution information we have access to, not just Google Earth. Google Earth is useful for this screening.

Here is another concentration camp. Here is the execution site in this particular camp. These have all been run by refugees who have been able to make their way out and now give the information of how the place is in various places. Here are the coal mine entrances marked No. 1; prisoner housing, No. 2; the execution site, No. 3; No. 4 is a rifle range. I don’t know if they use individuals as target practice.

This picture shows the location of various prison camps of the gulag that is in North Korea that we chose to ignore in our six-party talks. These are the selected North Korean prison camps locations, where the atrocities are at local places. We know what is taking place in that country. I raise all of these points to point out that we cannot continue to allow this to take place.

I want to raise one final issue. My colleagues have been very generous to allow me to put this forward. I have to do this on this day, Holocaust Remembrance Day, when we are about to confirm an ambassador who looked past all of this while he was there.

We will soon consider the supplemental appropriations bill. That will be coming up shortly before this body. Last year, this body inserted into the supplemental appropriations bill a waiver to waive the Glenn amendment sanctions against North Korea. The Glenn amendment sanctions do not provide for a Presidential waiver. The Congress has to affirmatively act to waive Glenn amendment sanctions. The Congress did, and that allowed us to send—as the Soviet Union used to send to the North Koreans only we are sending it now. I ask my colleagues not to forget in this year’s supplemental Glenn amendment waivers and not to put in this year’s supplemental funding for North Korea beyond humanitarian
assistance. Yes to humanitarian assistance because people are starving to death, but no to fuel, oil aid, no to other aid because they tested missiles in defiance of us and the United Nations. They are being investigated now for war material and other aid. They have captured two American journalists and still have them there. They have unaccounted for other people they have captured. They have this incredible human rights gulag system that is taking place right now. They are forcing people to walk into China, many of whom are women who walk into China to get food and are taken for human trafficking and as concubines.

Let’s not continue a regime that is a disaster, that is a horrific situation, and we are allowing this to happen.

Let’s not do that in the supplemental. Let’s not approve Chris Hill moving on after two big problems on human rights.

I urge my colleagues to vote against this nominee and to not give further funds and aid and waiving sanctions on North Korea.

Mr. President, I yield the floor.

EXHIBIT 1

[From the Jerusalem Post, Apr. 20, 2009]

THE TEENAGER WHO EXPOSED AUSCHWITZ

(By Rafael Medoff)

This month marks the 65th anniversary of a daring escape from Auschwitz, by a teenager who then revealed the truth about the death camp—only to be ignored by the Allied leadership.

In March 1944, the Germans occupied Hungary, with the goal of deporting to death the country’s Jews—numbering approximately 750,000—to Auschwitz. A 19-year-old prisoner named Rudolf Vrba, together with fellow-inmate Alfred Wetzler, decided to do something that almost nobody had ever done before: escape from Auschwitz. They were determined to alert the world about the doom that Hungarian Jews would soon face.

On April 7, Vrba and Wetzler slipped away from their slave labor battalion and hid in a hollowed-out woodpile near the edge of the camp. On the advice of Soviet prisoners of war, the fugitives sprinkled the area with tobacco and gasoline, which confused the German dogs that were used to search for them.

On their second day in the woodpile, Vrba and Wetzler heard Allied warplanes overhead. Sugar and cigarettes had run out, and Vrba was in pain. They decided to leave the woodpile and make a run for it. Vrba later recalled in his selling memoir I Cannot Forgive, “Our pulses quickened. Were they going to bomb the camp? Was the secret out? . . . Was this the end of Auschwitz?”

THE ALLIED PLANS were actually bombarding territories to the east of the Auschwitz complex. The idea of bombing the death camp had not yet been proposed to the Allied leadership, and details such as the location of the gas chambers and crematoria were not yet known to the Allied war command. But that was about to change.

On June 7, in the dead of night, Vrba and Wetzler emerged from the woodpile and began an 11-day, 80-mile trek to Slovakia. There they met with Jewish leaders and dictated a report that came to be known as the “Auschwitz Protocols.” It included details of the mass-murder process, maps pinpointing the gas chambers and crematoria, and accounts of the impending slaughter of Hungary’s Jews.

“One million Hungarian Jews are going to die,” Vrba told them, “Auschwitz is ready for them. But if you tell them now, they will rebel. They will never go to the ovens.”

A COPY of the report was given to Rudolf Kastner, a Budapest Jewish leader. Instead of publicizing the information, Kastner negotiated a deal that involved bribing the German leadership for his relatives, friends and Hungarian Jewish leaders to leave the country. Kastner’s action became the cornerstone of a controversial trial in Israel after the war.

Another copy of Vrba’s Auschwitz Protocols was given to Rabbi Michael Dov Weissmandl, who arrived in Bratislava, who then wrote the first known appeal for the use of Allied air power to disrupt the Nazis’ mass murder. When the Allies finally bombed the railroad lines between Hungary and Auschwitz reached the Roosevelt administration in June.

Assistant secretary of war John McCloy responded that the request was “impracticable” because it would require “diversion of considerable air support essential to the success of our forces now engaged in decisive operations.” He also claimed the War Department’s position was based on “a study” of the issue. But no evidence of such a study has ever been found by researchers. In reality, McCloy’s position was based on the War Department’s standing policy that no military resources should be allocated for “rescuing victims of enemy oppression.”

VRBA’S REPORT convinced the Jewish Agency leadership to change its position on bombing. Agency leaders initially opposed bombing Auschwitz because they believed it was a labor camp, not a death camp. When they learned of the Auschwitz Protocols in June, agency officials lobbied British, American and Soviet officials to bomb the camp or the railways leading to it. Their requests were rebuffed.

Most important, a condensed version of the Auschwitz Protocols reached the U.S. government’s War Refugee Board in June. It helped galvanize the board to mobilize international pressure on Hungary to halt the deportations to Auschwitz. Although that effort came too late for the more than 400,000 Hungarian Jews who had been shipped to their doom, it did spare the 200,000-plus who were still alive in Budapest.

The full version of the Vrba report was actually held up in Switzerland for three months by U.S. diplomats who regarded it as low priority. And when the report finally reached Washington in October, the Office of War Information opposed distributing it; OWI director Elmer Davis claimed the report was actually part of a Nazi conspiracy to “create contempt for the [Jewish] inmates” by showing that the Jews were not resisting their killers.

Fortunately, Davis and his cockamamie theories were too late to blunt the impact of the Auschwitz Protocols. The Hungarian deportations had been stopped, and Rudolf Vrba and Alfred Wetzler had played a significant role in bringing that about.

PREFERENCE FOR HILL OVER ZINNI REMAINS A MYSTERY

(By Dana Bash)

WASHINGTON (CNN)—Chris Hill is slowly overcoming the political, diplomatic and personal hurdles that have delayed his nomination as U.S. ambassador to Iraq, but it’s still unclear why the Obama administration revoked the offer they gave to someone else first—General Anthony Zinni.

Zinni told CNN Monday he hasn’t been given any explanation about why the offer he gave him in January, which he accepted, was abruptly taken back.

Zinni confirmed in an e-mail that he was asked to take the job by Secretary of State Robert Gates, who was then congratulated by Vice President Joe Biden. But then, the offer was revoked and extended to Hill—a development that came as the issue was raised as part of that and clearly, we will be looking for more satisfactory answers on that.

Senator Brownback. Mr. Ambassador, the Illinois delegation in total in a letter dated S4486 CONGRESSIONAL RECORD — SENATE April 21, 2009
in 2005—noted the abduction of Reverend Kim Dong Shik, who’s a U.S. citizen, and his wife is an Illinois resident, children U.S. citizens. I’m going to enter this letter in the record. It’s from the Illinois delegation. There is at least one recurring claim: a senior American official pledged that he would never be standing there. The official, Richard Holbrooke, now a special envoy on Afghanistan and Pakistan for the Obama administration, has repeatedly denied promising Mr. Karadžić immunity from prosecution in exchange for abandoning power after the Bosnian war. But the rumor persists, and different versions have recently emerged that line up with Mr. Karadžić’s assertion, including a new historical study of the Yugoslav wars published by Purdue University in Indiana.

Charles W. Ingrao, the study’s co-editor, said that three senior State Department officials, including him, told Mr. Karadžić he would not be pursued by the international war crimes tribunal in The Hague if he left politics.

Mr. Karadžić had already been charged by the tribunal with genocide and other crimes against civilians.

Two of the sources cited anonymously in the new study, a former senior State Department official who spent almost a decade in the Balkans and another American who was involved with international peacekeeping there in the 1990s, provided additional details in interviews with The New York Times, speaking on condition that they not be further identified.

The former State Department official said he was told of the offer by people who were close to Mr. Holbrooke’s team at the time. The other source said that Mr. Holbrooke personally and emphatically told him about the deal on two occasions.

While the two men agreed, as one of them put it, that “Holbrooke did the right thing and did get the job done,” the detailed story of the deal has dogged Mr. Holbrooke.

Last summer, after more than a decade on the run, Mr. Karadžić was found living disguised as a Belgrade, former Yugoslavia, was arrested and sent to the International Criminal Tribunal for the former Yugoslavia in The Hague for his trial, which is expected to start this year.

Asked for comment for this article, Mr. Holbrooke repeated his denial in a written statement. “No one in the U.S. government ever promised anything. He made a deal of any sort with Karadžić,” he said, noting that Mr. Karadžić stepped down in the summer of 1996 under intense American pressure.

“The agreement came to grief when Holbrooke vigorously refused Karadžić’s demand, and Hill’s appeal, that he affix his signature to it,” the study says, citing unidentified State Department sources.

The study, the product of eight years of research by historians, jurists and social scientists from all sides of the conflict, was an effort to reconcile disparate views of the wars that tore the former Yugoslavia apart in the 1990s, Mr. Ingrao said.

Mr. Hill and Mr. Goldberg responded to requests for interviews for this article.

In an interview, the former State Department official, who had access to confidential reports and to members of the Holbrooke team, said that during that evening in 1996,
Mr. Milosevic and other Serbian officials were on the phone with Mr. Karadzic, who was in Pale, Bosnia.

The former official said that Mr. Karadzic wanted to arrange that he would not be pursued for war crimes and refused to sign without them.

"Holbrooke told the Serbs, 'You can give him what he wants, he won't be pursued,' but Holbrooke refused to sign anything,"" the official said. Mr. Holbrooke could make that promise because he knew that American and other peacekeeping forces in Bosnia were not then making arrests, the official said.

There were some 60,000 American and NATO troops in Bosnia, but the soldiers had no orders to arrest indicted Bosnians, for fear of inciting local rebellion.

In the brief statement Mr. Karadzic eventually signed, he agreed to withdraw ""from all political activities"" and to step down from office. It carried the signatures of Mr. Milosevic and four other Serbian leaders acting as witnesses and guarantors. It did not include any Americans' names and made no mention of immunity.

The American who was involved in peacekeeping, in the view of Mr. Holbrooke himself told him that he had made a deal with Mr. Karadzic to get him to leave politics. He recalled meeting Mr. Holbrooke at Sarajevo, on the eve of Bosnian elections in November 2000, just after Mr. Milosevic had finally been ousted from power in Serbia.

Mr. Holbrooke was worried about the outcome of the Bosnian vote because he knew that Mr. Karadzic was still secretly running his nationalist political party and picking candidates, including mayors and police chiefs who had run prison camps and organized massacres.

""Holbrooke was angry; he was ranting,"" the official recalled. He quoted Mr. Holbrooke as saying: ""That son of a bitch Karadzic. I made a deal with him that if he'd pull out of politics, we wouldn't go after him. He's broken that deal and now we're going to get him.""

Mr. Karadzic's party won those elections in the Bosnian Serb republic. Shortly afterward, he disappeared from public view.

""In subsequent meetings, as a private citizen, I repeatedly urged officials in both the Clinton and the Bush administrations to press Mr. Karadzic,"" Mr. Holbrooke said. ""I am glad he has finally been brought to justice, even though he uses his public platform to dismiss the prosecution.""

Mr. Holbrooke declined to accept further questions and did not address the specifics of the new account.

Mr. Karadzic, by insisting that he is ex-

cept from legal proceedings, has now forced

the United States government for clarifica-

tion.

Peter Robinson, a lawyer for Mr. Karadzic, said in an interview that Mr. Karadzic did not know that he would not be pursued for war crimes and refused to sign without them. But Mr. Holbrooke told the Serbs, ""You can give him what he wants, he won't be pursued,"" but Holbrooke refused to sign anything,"" the official said.

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necessarily Republicans or Democrats, but both were there. They did not care about parties or candidates. They cared about their kids and the debt we are saddling them with, with almost everything we do in Washington. They cited with their signs and their voices that every dollar spent represents another freedom seized, another constitutional principle ignored, another opportunity squandered. The American people are tired of politicians and Democrats and Republicans—borrowing and spending money on programs we do not need, programs they know will not work.

The message of the tea parties is clear: Stop growing Government and stop spending all our money, all our kids' money, all our grandkids' money.

But will we get the message? We keep hearing that we are in the middle of an economic crisis, but we are in the middle of a political crisis. We hear a lot about the financial greed, but that pales in comparison to the political greed of elected officials who continue to make promises that we cannot pay for and borrowing the money to do it.

A poll conducted last week suggests that while a majority of American people have a favorable view of these tea parties, only 13 percent of the political class does. It is the same pattern over and over again on the stimulus, on ear-marks, on socialized and rationed health care, the proposed tax on electricity and energy. Americans disagree with Washington on these socialistic experiments, and our leaders act as if it is the American people who are the ones who are out of touch.

Indeed, no sooner had the protesters gone home than they learned that their preference for freedom, limited Government, and local control marked them as potential terrorist threats, according to a report by the Department of Homeland Security.

Americans have been misled and lied to by elected officials who promise the world while stealing our future. And they have had enough. Tea parties are only the beginning. Americans have come to understand that many of our problems are caused by more Government and that they can only be solved by more freedom.

Think of the things that are categorized as crises today—a crisis in education, a crisis in health care, a crisis in energy, our transportation infrastructure, banking and finance, the auto industry. But who has been running these services for the last several decades? Who has been running our education system? It has not been the free market. It has not been the free people. It has been Government, with the price we are paying expanding faster than any other service. We spend more per capita than any country in the world, yet consistently we lose ground to other industrialized nations. We do not need more Federal control, we need more freedom in education, more choices, more competition. More of the kinds of things that Government and union control cannot provide in our education. It may be a crisis, but it is not one caused by freedom, it is one caused by politicians.

What about health care? We talk about the number of uninsured Americans, but have we given freedom a chance? The rules and laws we pass here make it virtually impossible for individuals to own and keep their own insurance policy. There are ways we can solve this problem, there are ways we can get every American insured without spending one additional dime of tax dollars. But instead, the movement in Washington, the movement in Government health care, socialized medicine, and we have made a downpayment in our recent budget in that direction.

We have an energy crisis, but who has held back this country from exploring and developing our own energy resources? It has not been the free markets or the free people; it has been this Government. And under the name of environmental protection, we have actually made the environment worse by blocking nuclear energy, blocking natural gas development, and not moving where other countries have toward cleaner energy sources that are within our reach.

What about our transportation infrastructure? Who has been running that? Increasingly, the Federal Government takes more and more gas tax dollars and instead of giving them back to States for their priorities, we earmark it in every direction. The last Secretary of Transportation basically said we cannot have a transportation program because it is all politically directed. That is political greed. That is not a fault of freedom.

What about banking and finance? The Government was going to help our financial system, so they made loans, not just to those too big to fail. If you talk to local bankers, the Federal Government and the banks are giving the banks the money to take this money, and now they will not let them give it back. And they are now talking about converting these loans into common stock so the Federal Government owns the banks. That is nationalization of the banking system in America.

Freedom has not failed. Has freedom failed in our auto industry? Of course not. The Government and the labor unions have been running the American auto companies for years. Management has very little discretion. If you look at other auto companies that are not Government controlled, free of the barnacles of unionization, you see these companies succeeding in the United States. You cannot bail them out with more money; you have to bail them out with freedom.

Over the work period, I had a chance to visit Europe and the Middle East. I had a chance to welcome the new Prime Minister, Benjamin Netanyahu, back to office. It was interesting to hear him talk. He is concerned about the direction of our country moving toward a more socialist direction, while he realized the opportunities in Israel were to move away from socialization to more free markets, more land reform that allowed more property ownership exactly the kind of thing that we see as truly freedom. He realized that in order to have a prosperous Israel and a strong military and a bright future, he needed to move his country more toward freedom.

And the same thing in Brussels from a lot of our European allies, startled at the level of spending and debt the United States has taken on, concerned that we have the ability to pay it back, concerned that our commitment to the military is falling off, concerned that America will not be there as promised as part of a NATO partner sometime in the future.

But it was concern about our abandonment of free market principles, free trade, the things that can make the world safe and prosperous, that the United States seemed to be pulling back from those principles.

I just wanted to share a few thoughts today because as we talk about more Government and more spending, we are in almost every area of our lives, and we continue to blame our problems on freedom and capitalism—the people who work hard and take personal responsibility—it seems we have it backwards from what actually made America great and exceptional and unique and prosperous and good.

I keep hearing our economic problems were caused by the free market. But what free market? What have I talked about that have to work as a free market? If you look at those areas where the Government has not yet reached its tentacles in to regulate to the point of paralysis, look at our telecommunication system, which we are talking about in committee as to how we can regulate it. The incredible explosion of innovation and choice and competition—the cell phones, the BlackBerries, the fantastic ways we have to communicate all over the world—could never have been created by more Government. It is created by free people and free markets, and that can work in every area, as it has before in America.
Let's not blame this financial crisis and the housing problems on freedom and free markets. The Government itself, through its public-private partnership of Fannie Mae and Freddie Mac, was the broker of these deals—the middle man of toxic assets. No private company would have taken the kinds of risks that were taken unless they could first get cheap money, which the Federal Reserve provided, and then have a basic government guarantee for these loans that they were making and packaging. The Government is in the middle of this crisis. It is political greed. It is not the fault of freedom.

This Congress and this Federal Government are really at a crossroads, and the American people are standing there with these tea parties telling us: Don't give up on freedom. Government does not work. Socialism does not work. There is no example in history where it has. Yet we contemplate every day another step closer to more Government control of the American people. They are alarmed at what we are doing. It has nothing to do with politics. It has nothing to do with a political party. It has everything to do with what makes this country great and good. But we have abandoned it in Congress, and this crossroads at which we stand is the crossroads between freedom and socialism.

Some folks say you shouldn't use that term—"socialism." But, folks, when the Government basically controls or owns most aspects of economic production, which is where we are headed today, we are talking about socialism, and socialism that is the left of where many European countries are. We can stop it, but we have to stop it starting today, and that is why these tea parties are so important. I hope they will shake up a few people here in both parties. I hope they will send a message that this Government is for the people. I hope the people can take it back, and I am thankful they are willing to stand up and express their voices. And I am very sorry anyone in this administration or this Government would categorize them as a threat in any way just because they are willing to speak out against what they know is wrong in Washington.

I encourage my colleagues, as we think about spending programs after another, one Government takeover after another, that we not give up on freedom and that we listen to the American people.

With that, Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I came to speak in support of the nomination of Christopher Hill to be the Ambassador to Iraq. I feel compelled to say a few things in response.

It is easy to rail against the Government when you are part of it. It is easy to rail against the Government. But when we have a national disaster, whether it be September 11 or hurricanes or floods or tornadoes, it is only the National Government that can come and help for protection. It is only the National Government that can come at the end of the day and create a common defense. It is only the National Government that very often can stop us from economic collapse.

The Government, the market, as much as anyone else, but there is a difference between a free market and a free-for-all market. What we saw over the last 8 years is regulators, who were supposed to act as the cops on the beat, ultimately allowing the private sector, particularly those who are regulated industries, to regulate themselves. The consequence of that is we have excess that now each and every American is paying for. Yet there are those who want to tell us we have to give up on freedom.

There are those who also rail about spending. I am with them. But the time to have railed against that was in the last years that saw the debt and the deficit dramatically grow. If President Bush had done nothing—he would have inherited a $1.3 trillion deficit. So I think we need some intellectual honesty in this Chamber as we have our debates.

Mr. President, I want to now talk about President's nomination of Christopher Hill to serve as our next Ambassador to Iraq, I support that. It should be clear to all of us that the position of the Ambassador to Iraq is one of the most critical ambassadorial selections that President Obama will make. We are at the beginning of a period of transition in our relationship with Iraq. We are now working under a Status of Forces Agreement. Our troops are winding down their combat mission in Iraq by the 31st day of August of the year 2010, in accordance with the Status of Forces Agreement, the combat mission of U.S. troops in Iraq will come to an end. But even though the end of our combat mission in Iraq may now be in sight, we cannot forget that today we are more secure in coordinating the multilateral negotiations on North Korea's nuclear program than we have ever been. North Korea has signed an agreement with the United States and the other six nations, the six-party talks involving North Korea, and most recently as Special Envoy to the six-party talks involving North Korea's nuclear program. He was one of the State Department's top negotiators during the 1995 Dayton talks that ended the war in Bosnia. He has never balked from taking on the most difficult assignments and has a long list of honors and awards which stand as evidence of his accomplishments.

Now, one of the concerns raised by my colleague earlier was about Ambassador Hill's experience, or lack of experience, in the Middle East. It should be noted that our predecessors in Baghdad—Ryan Crocker, Zalmay Khalilzad, and John Negroponte—the persons who know best the experience needed to do the job—do not share this concern. They have expressed their support for Ambassador Hill's confirmation.

I am confident the experience Ambassador Hill has gained in other areas can be readily applied to the challenges he will face in Iraq. Ambassador Hill's experience in coordinating the multilateral negotiations on North Korea's nuclear program will serve him well when he seeks the support of Iraq's neighbors on nuclear issues. That experience will also serve him well in working with Iraq's numerous political factions when he assumes Iraq's nuclear program. He has experience in the Balkans has prepared him to deal with sectarianism, border disputes, human rights, refugees, developmental assistance, and postconflict normalization of relations, all of which will be major issues in his portfolio in Baghdad.

Mr. President, I share the concerns expressed by my colleague about North
Korea’s human rights record, and I agree completely with Ambassador Hill’s own assessment of that record of North Korea when he said it is abysmal. But as others have noted, Ambassador Hill’s mission with regard to North Korea was not by his superiors in the Bush administration and not his. The primary objective was to push the North Koreans to end their nuclear weapons program and their nuclear proliferation activities. That was his mission, directed by the Bush administration. That is the mission he undertook to accomplish.

I appreciate Ambassador Hill’s continued willingness to take on these tough assignments. He is the right person to lead our Embassy in Baghdad at this time, and I urge his nomination be confirmed without delay.

Finally, I too often hear on the other side of the aisle a very familiar refrain lately. It is no—no to just about everything we are trying to do here. President Obama was elected with overwhelming support to try to move this country in a different direction, and what we hear consistently on the other side of the aisle—using the procedural mechanisms of the filibuster in this institution—no and no and no. Then while they hold up nominees, such as yesterday’s nominees for Assistant Attorneys General—incridibly important to the Attorney General for law and order in this country—when we finally get to the vote, we see overwhelming bipartisand support.

We have delayed it an inordinate amount of time instead of having those people work for the security of the country, instead of being able to move this agenda forward, instead of having more time for the Senate to meet some of the Nation’s critical challenges.

It is time to get over the noes and start saying yes to some of the critical issues we need. The first yes should be today about Ambassador Hill. That will move our foreign policy agenda ahead in one of the most critical parts of the world today.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Senator from New Jersey for a very precise and important set of arguments about why we ought to proceed forward, and I appreciate his taking time to come to the Senate floor to do that.

Momentarily, it is my hope we will be able to propound a unanimous consent agreement. We are just waiting, I hope, for the word to come back from Senator KRI, senator KRI, I hope that can come very quickly so there could be a vote around 5:15 on this nomination.

Let me just say a couple of words about a few of the things that have been said. Obviously, we hope to be able to divide up the remaining time between the Senator and then conclude the debate, but part of what the Senator from Kansas has said, both this morning and this afternoon, is that the

human rights envoy, then Jay Lefkowitz of the State Department, was not invited to take part in the six-party talks per an exchange that Senator Brownback had with Chris Hill—with Ambassador Hill—before the Armed Services Committee.

 Ambassador Hill has addressed this issue, I have addressed this issue on a number of occasions, and we have real- ly laid this out. The full text of his re- marks has been submitted for the RECORD. In a nutshell, let me just state one last time for the record exactly what happened.

As Ambassador Hill made clear at the time, his promise to Senator Brownback applied to the future negoti- ations sessions, except those specifically dealing with nuclear disarm- ament where the Human Rights As- sistant Secretary had no portfolio whatsoever. To make it clear, the Senator from Kansas somehow believes that no matter what, Special Envoy Lefkowitz should have been invited to every one of them; but that was a decision that was up to Ambassador Hill. Let’s be clear about this. That was not Ambas- sador Hill’s decision to make.

The New York Times on January of 2008 reported that the decision about who would attend the six-party talks and what issues would be discussed was made by Secretary Rice and the Presi- dent. Here are the words of Secretary Rice speaking about Human Rights Envoy Jay Lefkowitz as quoted by the New York Times on January 23, 2008.

“He’s the human rights envoy,” Ms. Rice said. “That’s what he knows. That’s what he does. He doesn’t work on the six-party talks. He doesn’t know what the six-party talks and he certainly has no say in what American policy will be in the six-party talks.”

Mr. Lefkowitz, reached at his office in New York, said he and Ms. Rice spoke on Friday about the disagreement, and he described their conversation as “very amicable, sub- stantive and useful.”

“I’m going to have a great deal more to say about elevating the issue of human rights in North Korea, which is clearly a priori- ty for the president and Congress,” he said.

The dispute comes at a time when nuclear talks have stalled, with North Korea missing a year-end deadline to disclose all of its nu- clear programs. A debate within the adminis- tration has fractured along familiar lines, with hard-line national secur- ty hawks in Vice President Dick Cheney’s office and at the White House arguing for a more confrontational approach with the North.

On the other side, the administration’s lead North Korea nuclear negotiator, Christopher R. Hill, backed by Ms. Rice, has argued that the United States should continue a more re- strained approach, one that was widely cred- ited with bringing about an agreement last year intended to eventually lead to the denuclearization of the Korean Peninsula.

Ms. Rice said that Mr. Bush had spoken to what as our policy is in the six-party talks.”

I know where the President stands,” she added, “and I know where I stand, and those are the people who speak for American policy.”

Mr. KERRY. The second thing al- leged here is somehow Ambassador Hill failed to implement the North Korean Human Rights Act. That is not accu- rate. Facts are facts. Facts, as has been said many times, are stubborn things. Consistent with the Human Rights Act, Ambassador Hill secured the admission of the first North Korean refugees into the United States in 2006. He worked to ensure the safe passage to South Korea of asylum seekers from the North who had been detained in other east Asian
countries. He backed increased funding of radio broadcasting by Radio Free Asia. During Ambassador Hill’s tenure as Assistant Secretary of State for East Asian and Pacific Affairs, the State Department approved the expenditure of $2 million of our taxpayer funds to support Seoul Station of the North Korean Human Rights in South Korea, in December of 2005. Ambassador Hill met regularly with North Korean refugees and defectors who made it out of North Korea.

They didn’t substantiate the notion that Chris Hill was indifferent to human rights. In the morning debate, the Senator from Kansas showed a dramatic picture of starving North Korean children. Noting that today is Holocaust Remembrance Day, Senator BROWNBACK said we should not be indifferent to the suffering of North Korean people and we must not consider human rights inside North Korea to be a low priority. We all agree with the Senator. Of course we should not allow it to be a low priority.

He noted that unnamed “U.S. diplomats” had opposed decisive action to bomb the rail lines leading to Auschwitz during World War II and said the current situation with North Korea is “eerily familiar.”

All of us should listen carefully to what the Senator has said about North Korea and its oppression. None of us should forget the lessons of the Holocaust. We have an obligation to respond to great humanitarian crises, whether they are caused by nature or by man.

But to show a picture of starving North Korean children in the debate on Ambassador Hill’s qualifications and to imply somehow that he is indifferent to their plight does a good public servant an enormous disservice—particularly one whose record is what I have described, who time and again has fought for the implementation of the Human Rights Act and who has taken personal risks on occasion to enforce human rights.

The date of the photograph that was there was not in fact declared, but I believe it was during the great Republic of North Korea’s famine in 1996 and 1997. If that is true, that is 10 years before Ambassador Chris Hill began his duties as the lead envoy in the six-party talks. So, again, to create an excuse for deriding Ambassador Hill is a grossly intrusive, comprehensive monitoring system ever permitted by North Korea. Ambassador Hill deserves praise for his efforts on this issue, not the criticism that was implied on the floor of the Senate.

I yield the floor, according to the unanimous consent that at 5:15 p.m. today all postcloture time be yielded back and the Senate proceed to vote on the confirmation of the nomination of Christopher Hill to be Ambassador to Iraq, that the time then be equally divided and controlled between myself and Senator BROWNBACK or designees of each of us, and that the 10 minutes immediately prior to the vote be equally divided and controlled between myself and Senator BROWNBACK; further, that the time of that day be the custom of the Republicans, of that time, Senator KYL control 15 minutes, Senator MCCAIN control 20 minutes, and that upon confirmation, the motion to reconsider be laid upon the table, no further motions be in order, the President be immediately notified of the Senate’s action and the Senate then resume legislative session.

I yield the floor, according to the unanimous consent.

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

Mr. KERRY: Mr. President, I ask unanimous consent that the Chair and thank my colleague I yield the floor, according to the unanimous consent.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I agreed to this unanimous consent request to try to move this somewhat forward. I do believe this has been a healthy debate. It has been a good thing for us to discuss what took place in North Korea. It is a good thing for us to discuss human rights.

Anytime we can do that I think it is a good thing for us to discuss that setting, moving into Iraq and the human rights concerns there.

I do want to address a few things the Senator from Massachusetts raised. One is on the North Korean Human Rights Act. I was the author of that bill, and I know how much it was objected to that bill by the North Korean leadership and never accounted for were not accounted for during the negotiation.
This was the top issue. I had the Japanese Embassy contacting my office, complaining about the six-party talks and not being included on their top issues.

Why are they having to go through me? Because they can't go through Chris Hill. What kind of diplomat is that, when he has trouble with one of your main allies on a very specific item and issue that you can at least keep track of? I'm not sure I'm coming along with the overall issue.

China is one of the members of the six-party talks and China has been one of the lead problems with us dealing with them. Yet, we do not push the Chinese on North Korea or North Korean human rights. We don't demand that the U.N. Human Rights Commission, or Commission on Human Rights, be allowed into China to determine if these North Korean refugees who are coming into China, are they economic migrants, are they refugees? We don't even push the Chinese to allow the U.N. in to look and see what the status is here. We do not push them at the six-party talks or the U.N. There is a complete failure of this.

I have had some refugees, a few who made it out of North Korea into the United States, a few more who made it out of North Korea into China—it is hard to get out of China and into the country—I have had a couple into my office, interviewing them, and they talked about the horrible conditions in China for North Korean refugees, hundreds, probably, are there, stateless, not protected. The women are generally captured and sold as concubines in China—captured like wild animals. This is their fate. We do not push the U.N. Human Rights Commission, don't push the Chinese to allow these individuals in, even though the Chinese have signed the declaration on this. We don't get that done. That is not a success either.

North Koreans recently abducted two Americans on the North Korea-China border. That has taken place. We don't object to that. They are developing part of a nuclear reactor. We don't get any information on that. We get incomplete information. We waive the terrorism list. We get nothing out of this deal. That is called a successful negotiation. I wonder what we will call successful negotiations in Iraq, then, if that is what we are calling a successful negotiation with the North Koreans in the six-party talks. I wonder what we will call successful human rights being determined in Iraq when we see the human rights record of what is taking place in North Korea. I wonder how that is going to be viewed.

For all of those reasons, I think this has been a healthy debate for us to have had. I hope when the supplemental comes up, we as a body do not waive again the Glenn sanctions on North Korea. That will come up in front of this body. It is an annual waiver that will have to take place. I hope we as a body do not fund North Korea beyond humanitarian assistance. That will come up in the supplemental. I want to lay those markers down for my colleagues. I hope people are watching for this, that we do not reward the North Koreans, that we do not become their supporter like the Soviets were, and we do not continue this practice, much of which Chris Hill negotiated.

I yield the floor.

The PRESIDING OFFICER (Mr. KAUFMAN). The Senator from Virginia is recognized.

Mr. WEBB. Mr. President, I would like to add my voice in support of the nominee, Chris Hill, whom I have had the pleasure of working with extensively in his current assignment, both in the Senate Armed Services Committee and also of the Senate Foreign Relations Committee. I think he is a uniquely qualified individual. He has a long history of success. If anything, in the current debate, I believe he is perhaps being victimized by the fact that he is a loyal diplomat and was carrying out, with great expertise, the charges that had been given to him as someone who has a career in that area.

The numbers are pretty clear. He is going to get at least 70 votes. I believe it is time for us to end this debate and have the vote and get Chris Hill on his way. I yield the floor to Senator Brown.

I respect his concerns. He has been a great champion in terms of human rights. I would just suggest that this is not the place to continue this sort of discussion when the situation in Iraq is filled with unknowns, as it is, and our need of getting someone who has these types of qualifications over there to do this job.

The Chris Hill nomination is no more about the future of the country in which we have expended so much precious American blood and treasure. Yet our commanders have repeatedly warned, these gains, though real, are fragile. The recent uptick in violence demonstrates anew that there remain elements within Iraq who wish to continue the violence and use their power to disrupt the transition to a more stable, democratic, and tolerant society. There also remain a number of difficult political and economic issues that lay ahead, including the distribution of oil revenues, the resettlement of refugees and internally displaced Iraqis, and ongoing tensions between Arabs and Kurds.

Ambassador Ryan Crocker was able to tackle these and other issues with great skill and expertise, ensuring unprecedented cooperation between the military, the Embassy, and their counterparts in the Iraqi Government. Ambassador Crocker's remarkable tenure was a byproduct of his lengthy career in the Middle East, not simply incidental to his long record of experience in the region. He had served two tours in Baghdad previously, including in the Coalition Provisional Authority, and he also served as Ambassador to several neighboring countries, including Lebanon, Kuwait, and Syria. His long-standing relationships with the region's leaders, his deep understanding of the complexities of Arab and Iraqi culture, and his ability to speak fluent Arabic were instrumental to his success.

Now, as we reduce the number of combat forces in Iraq, our national interests there will depend to an increasing degree on the skill of our diplomacy. I believe Ambassador Crocker's successor should possess many of the same traits he demonstrated, including expertise in the understanding of its players and dynamics, and relevant language skills. While Ambassador Hill has developed regional expertise, it is not in the Middle East. He has served as Ambassador in Europe and Asia, and speaks, admirably, three European languages but does not speak Arabic. He has not had the opportunity to work with leaders in Iraq or in the region. In fact, he has
never been to Iraq. He has limited experience at best in working with the military in the areas of counterterrorism and counterinsurgency.

The next U.S. Ambassador to Iraq will take over at a critical time in history. I do not think that the U.S. Embassy in Baghdad is the world’s largest and, along with our Embassy in Kabul, one of the two most important. The next Ambassador will play a vital role in consolidating our hard-won gains and ensuring that the country does not slide into violence and turmoil. Given the enormity of our stakes in Iraq, I do not believe it is appropriate to select as our next Ambassador someone who will require on-the-job training in Iraqi affairs and in Middle East issues.

This may well be, I am afraid, the case with Mr. Hill.

There are a number of well-qualified individuals both within the Foreign Service and without who would make outstanding U.S. Ambassadors to Iraq. I do not believe Mr. Hill is among this number.

Our next Ambassador must hit the ground running and quickly work with the ground commander, Iraqi leaders, and others to confront the still great challenges that will present themselves over the next several years. We have made many mistakes in Iraq over a number of years, and they have cost us dearly. We have seen individuals take charge of U.S. efforts there without the background and experience necessary to succeed. I do not want us to repeat this mistake.

In addition to my concerns about Ambassador Hill’s lack of Middle East experience, I also have questions arising from his tenure as U.S. Envoy to the six-party talks on North Korea’s nuclear program. His legacy in those talks was controversial, as evidenced by complaints that other members of the interagency process were cut out of crucial policy deliberations. In a cable reported in the Washington Post, Thomas Schieffer, then-U.S. Ambassador to Japan, warned of irreparable harm to our relations with Tokyo resulting from an agreement that did not adequately address Japanese interests, including the issue of abductions. Ambassador Schieffer added that he could not play a role in remedying this state of affairs because Ambassador Hill had cut him out of the flow of information on North Korea.

Members of the Senate, including my colleague from Kansas, have asserted that Ambassador Hill broke a commitment made before a congressional committee to include North Korean Special Envoy for Human Rights Jay Lefkowitz to all future negotiating sessions with North Korea. I am aware that Ambassador Hill has asserted that he did not, in fact, break such a commitment, notwithstanding the fact that he did not include Mr. Lefkowitz in these subsequent negotiating sessions.

Given the key role the Congress and non-State Department agencies play in our Iraq policy, however, I believe it is crucial that the next Ambassador to Iraq begin with a surplus of trust and good will with both. Ambassador Hill, I am afraid, starts with a deficit.

Ambassador Hill testified on October 25, 2008, before the Senate Foreign Affairs Subcommittee that “clearly we cannot be reaching a nuclear agreement with North Korea if at the same time they are proliferating. It is not acceptable.” Yet, just months later, Ambassador Hill wished an agreement with Pyongyang despite alleged nuclear proliferation to Syria, and reports have emerged of Iranian-North Korean cooperation in missile technology.

In recent weeks alone, North Korea has tested a ballistic missile in violation of United Nations Security Council resolutions, expelled inspectors from the International Atomic Energy Agency, removed seals on equipment, and turned off surveillance cameras at the Yongbyon nuclear facility and announced that it is withdrawing from the six-party talks.

While Mr. Hill did not bear sole responsibility for the content of U.S. policy toward North Korea, nor for the brutality with which these actions are described, it is nevertheless inescapable that he has played the key U.S. role in the formulation of policy toward Pyongyang for the past several years. To the eyes of most objective observers, those policies have failed.

Finally, I am troubled at comments and characterizations that appeared in a recent book by New York Times reporter David Sanger. In a statement to associates, for example, Ambassador Hill is quoted—and it is a direct quote—as saying of members of the administration—the administration which he supposedly served—“these [expletive] don’t know how to negotiate. Everything is Appomattox. It’s just ‘Come out with your hands up.’ It’s not even really Appomattox, because at the end of Appomattox they let the Confederates keep their horses.” This is perhaps the most colorful but not the only reference along these lines. Mr. Sanger quotes Ambassador Hill as saying that his instructions “showed a complete lack of understanding about how the world works,” and the book, along with other accounts, cites numerous examples of Mr. Hill going beyond his instructions as authorized by the Department of State.

I know loyalty is a rare commodity in this town, and I do not expect a lot of it. I have seen a lot of situations where people seek to burnish their own images and their own reputations. I guess in some ways this is kind of a classic example, this quote of Ambassador Hill’s, talking about the people he works for: “These [expletive] don’t know how to negotiate.” And he says—this is a direct quote—that his instructions “showed a complete lack of understanding about how the world works.” I wonder if Mr. Hill really felt this strongly, as these quotes indicate in Mr. Sanger’s book, that he might have felt motivated for the good of the country to speak out publicly to demonstrate that “These [expletive] don’t know how to negotiate.” Instead, many times we see people more interested in how a New York Times reporter describes them than they are in serving the people who appoint them to the positions of responsibility.

In response to a lengthy set of questions I submitted to Ambassador Hill, I was concerned that Hill’s conduct, the oath taken by a Foreign Service officer “means respecting the chain of command and remaining loyal to my leadership.” In this, I agree with Mr. Hill. Mr. Hill, if those quotes are accurate—and I have no reason to believe they are not—obviously did not feel so at the time.

But, most importantly, the stakes in Iraq today could hardly be higher. We have been at this war for 6 long and difficult years. We made many mistakes. We paid an enormous price for the good we see in Iraq today. And I must say, in all candor, we have seen another Ambassador to Iraq who went there without experience, and things did not turn out so well.

There are qualified individuals who are serving this Nation in and out of the Foreign Service. It well known that Marine General Zinni was offered the job, at least by some members of the administration, and then somehow that offer disappeared. The fact is, we have sacrificed a lot. We owe it to the brave men and women who have sacrificed so much to ensure that the remarkable progress they have achieved translates into long-term stability as our combat troops begin leaving the country. After meeting with Ambassador Hill and examining his record, the concerns I raised following his nomination last month remain. For this reason, I must oppose his nomination as the next U.S. Ambassador to Iraq.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Mr. KYL. Mr. President, I rise in opposition to Ambassador Christopher Hill’s nomination to serve as the next U.S. Ambassador to Iraq. As Senator BROWNBACK and I stated in a letter to Secretary of State Clinton regarding Ambassador Hill’s nomination:

Our role as United States Senators is not to choose the President’s envoys. However, in the exercise of the Senate’s constitutionally mandated role of advising and consenting to nominations, we are required to judge the qualifications by ambassadorial candidates on several factors concerning their past record of dealing with our own branch of government.
I do not believe Ambassador Hill has the requisite experience to be our Ambassador to Iraq at this critical time in that young democracy’s history. Beyond that, serious allegations have been made by members of the press as well as members of this body that call into question Mr. Hill’s ability to follow orders and his willingness to be forthcoming and truthful with the Senate itself. I believe these allegations merit much more rigorous review.

Many colleagues believe that Iraq is at a critical and fragile juncture and that now is no time to delay the installation of our Ambassador to that country, and to them I say I could not agree more. To me, it would be very strange to say to them it is even more critical that we send an Ambassador who has the proper experience for the tough task ahead of him. We should be sending someone who understands the complex and unique ethnic, cultural, and tribal intricacies of those with whom he will be interacting and negotiating. We should be sending someone who speaks their language, literally. We should be sending someone who, over the distinguished career at the State Department, has at least had one assignment to the Middle East. Ambassador Hill has had none. At no time during his 32 years has he had an assignment there, nor does he speak Arabic. Surely, the State Department has at least one distinguished diplomat who has career experience in the Middle East.

Some of my colleagues argue that Ambassador Hill’s experience in Kosovo and Bosnia give him crucial experience solving complex problems of ethnic civil wars. After 6 years of, I would hope, lessons learned, I am sure my colleagues would agree with me that we should not approach the cultural and ethnic nuances in Iraq with a same-thing-only-different diplomacy. I certainly hope the Obama administration is not taking a one-size-fits-all approach to the world.

Iraq has history not that of Kosovo or Bosnia. Its cultural and ethnic makeup is completely unique. We need someone who understands Iraq’s history, culture, and, yes, language. That is why the choice of Ambassador Ryan Crocker was so inspired—a diplomat who, over his career at the State Department, had been assigned to Iran, Qatar, Lebanon, Egypt, Syria, Afghanista, and Pakistan—all before he took on his assignment as Ambassador to Iraq. In addition, he spoke Persian and Arabic.

Much of our recent success in Iraq is because of Ambassador Crocker’s lifetime of knowledge and understanding of Iraq and its neighbors’ cultural and ethnic identities. I don’t exaggerate when I say that the carbon copy of Ambassador Crocker, I do assert again that surely the State Department has to have at least one distinguished diplomat with relevant experience in the Middle East. If it doesn’t, it has been one diplomatic deep—we need to find out what is going on over at the State Department.

Moreover, I worry what signal it sends—when coupled with the recent campaign rhetoric—of our commitment to sustain the hard-fought gains of the surge by sending an ambassador to Iraq with no experience in the region. What message does that send to the Iraqis that they have no assurance that the U.S. commitment to finish what we started has ended?

In addition to his lack of Middle East experience, recent press reports about Ambassador Hill’s presence ahead of the U.S. delegation of the six-party talks on the North Korean nuclear issue raise serious doubts about his fitness to serve in such a sensitive position as Ambassador to Iraq.

Twice, Ambassador Hill allegedly disobeyed orders from the President and Secretary Rice not to engage in any bilateral meetings with the North Koreans. According to Stephen Hayes of the Weekly Standard:

On July 9, [Secretary of State] Rice had given approval for a trilateral meeting with the Chinese and the North Koreans in an effort to get the North Koreans to return to the six-party talks on their nuclear program. The Chinese didn’t show up, as they had promised. Hill nonetheless met alone with the North Koreans and gave them an important propaganda victory.

We cannot have diplomats exceeding their authority and engaging in freelance diplomacy when they see fit and in direct opposition to the wishes of the President and the Secretary of State.

That is why Senator BROWNBACK and I wrote to Secretary Clinton and asked her to provide us with all relevant cables and correspondence regarding Ambassador Hill’s instruction for these two meetings so that we can establish the facts. These matters could have been cleared up by now if the State Department had responded to the letter that Senator BROWNBACK and I sent. It has not chosen to do so. We have no response.

Finally, Senator BROWNBACK raised questions about Ambassador Hill’s truthfulness to the Senate. The Senator spoke to this matter.

The position of U.S. Ambassador to Iraq is among the most sensitive missions we have in the world at this time. It is critical that ambassadors follow the letter and spirit of the orders given by the President and the Secretary of State. It is equally important that anytime an ambassador gives assurances, something will be carried out, or certain actions will not be engaged in, that those assurances be rock solid.

Mr. President, for the reasons I have articulated—and I associate myself with the views of Senators BROWNBACK and MCCAIN—I regret that I cannot support Christopher Hill’s nomination to replace Ambassador Crocker as U.S. Ambassador to Iraq.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I rise to express my strong support for Christopher R. Hill to be the next Ambassador to Iraq. I have had the privilege of working with Ambassador Hill and I know him. He is a Rhode Islander. He was born in Little Compton, where he resides. He brought his fine skills and talents to public service many years ago. He has distinguished himself in this service over a very long time. He is being posted to one of the most critical areas of the world.

Mr. President, you and I just returned from Iraq. One of the comments we heard from General Petraeus and from our diplomatic personnel was the need to rapidly confirm Ambassador Hill. They have every confidence in him. They believe he cannot only do the job but do it extremely well. I think their support is much more compelling than the opposition I have heard on the Senate floor today.

We understand, as they do, the real step forward in Iraq is building its governmental capacity and dealing with very difficult problems on which— and the Presiding Officer and I have both spoken on this today—is the tension between the Kurds and Arabs around Kirkuk, with respect to oil. Ambassador Hill has had the experience running and dealing with a very difficult set of issues. Chris Hill is prepared to do that.

Together with General Odierno, they will form a team that will continue the progress that has been made over the last several months.

Ambassador Hill, as I mentioned, is from Rhode Island. He earned his B.A. from Bowdoin College and a masters from the Naval War College, also in Rhode Island. He is extremely well qualified for this position, with a lifetime of diplomatic service and facing challenges in many different arenas, and facing them with distinction. He has particular skills in bridging gaps and bringing people together, which will be critical.

Ambassador Hill entered the Foreign Service in 1977. In the 1980s, he served in various positions within the State Department in Washington, D.C. He serves as an economic officer in the Embassies in Belgrade, Yugoslavia; Warsaw, Poland; and Seoul, Korea.

Beginning in 1991, he spent 2 years as the Deputy Chief of Mission at the U.S. Embassy in Tirana, Albania. From 1994 to 1996, he was the Director of the Office of South Central European Affairs. Then, in 1996, he was named the Ambassador of Macedonia during a period where the United States was a partner in managing this country’s transition to independence and state viability, and managing a chapter of independence and state viability, and managing multilateral efforts to prevent the spread of ethnic conflict in Macedonia, bolster Macedonian independence and state viability, and manage bilateral disputes between Macedonia and Greece. He worked with our American military forces during that period.

The first time I met with him I was with the commander of the First Infantry Division of the U.S. Army who was on the ground. So the Ambassador is someone who has already been in a situation in which ethnic tension, bilateral relationships between regional
powers, and Army military stabilization operations were underway. I think that experience will make him extremely prepared for and equipped to accomplish the mission he has been assigned in Baghdad.

Ambassador Hill was also part of a team that was assembled by Ambassador Holbrooke that negotiated the Bosnian peace settlement. He fought to ensure that protections were included for those who had been made refugees by the war. In one instance, he personally intervened at the Stenkovac refugee camp to prevent a rioting mob from beating an ethnic Roma family to death.

I think he has a sensitivity to ethnic and sectarian tension, not gleaned from textbooks but from personal involvement and engagement in these situations.

In 2004, he returned to Seoul, Korea, this time as the Ambassador. There he partnered with Korean authorities and the United States, the U.S. General Leon LePorte, another Rhode Islander, to develop and implement the most significant realignment of our military posture in the region since the Korean war. I think it was an effort bearing out that a smaller footprint, and indeed to be able to support operations around the globe as units from Korea are being sent into the combat zone in Iraq and Afghanistan.

Most recently, after his experience as Ambassador to Seoul, he served as Asst. Secretary of State for East Asian and Pacific Affairs and also as head of—as somebody mentioned—the six-party talks, which attempted to get the North Koreans to move away from their path of nuclear progress they had been making. He worked hard to dismantle their main nuclear facility and provide a full accounting for their plutonium.

Ambassador Hill also engaged in issues of human rights. It has been pointed out that not all of the efforts have been completely successful. But what he was doing was carrying out the policy of the beneficiary administration. He was carrying out the instructions of the Secretary of State and the President of the United States. I think he did that with fidelity to his responsibilities to his superiors and also a keen commitment to improving a situation that had become very dire indeed.

Ambassador Hill has received numerous awards, including the Secretary of State's Distinguished Service Award, the Francis Shattuck Security and Peace Award, the Robert C. Frasure Memorial Award for Peace Negotiations, and the Secretary of Defense Medal of Meritorious Civilian Service. Ambassador Hill, with his talent and commitment to the Nation, has also been recognized because he has been endorsed for this position by the last three Ambassadors to Iraq, including Ryan Crocker, Zalmay Khalilzad, and John Negroponte. These gentlemen did an extraordinarily good job for us there. I am particularly singling out Ryan Crocker—someone whose commitment was not just in terms of his professional skill but his physical presence, numerous times, working day and night, 7 days a week, and doing it with distinction and grace. That is remarkable.

Again, no one is going to be another Ryan Crocker. I think it is extraordinarily significant that Ryan Crocker, who probably knows that job as well as anybody, would endorse Christopher Hill to take the job. He would not do it just as a courtesy to a fellow State Department officer. He did it because he believes he understands that Ambassador Hill not only can do the job but will do it.

I also say the same thing about the commitment and sincerity and support of Zalmay Khalilzad and John Negroponte. I think both General Petraeus and General Odierno have indicated that not only is he someone with whom they can work, they want to be able to work with him quickly. They want him on the ground. They want him there to help the history of that country and its relationship with the United States. The intelligence and commitment and experience of the Ambassador to Iraq is critical. Ambassador Hill has an abundance of the necessary skills. He has proven again and again his ability to bring a possible situation to a workable solution. He is the right man for the job. I urge my colleagues to support his nomination.

I yield the floor.

Mr. HARKIN. Mr. President, I strongly support the nomination of Christopher Hill, one of America’s most distinguished and accomplished career diplomats, to serve as Ambassador to Iraq.

Our Baghdad Embassy is, obviously, a post of critical importance to United States interests. Our Armed Service-members and diplomats serving in Iraq need and deserve an ambassador without further delay. President Obama has set forth a sound strategy for ending our combat role in Iraq and allowing the Iraqi Government to take full responsibility for that Nation’s affairs. We will be extremely fortunate to have an ambassador of Christopher Hill’s stature and experience, to oversee this important new phase in our relations with Iraq.

Ambassador Hill’s career in the Foreign Service spans more than three decades. He has extraordinary expertise and experience in the fields of national security, peacebuilding, and postconflict reconstruction. He is exactly the right person to have in this critical post at this pivotal time in Iraq’s history.

While serving in the former Yugoslavia from 1996 to 1999, Ambassador Hill was at the center of negotiations for the Bosnia peace settlement, serving as deputy to chief negotiator Richard Holbrooke. He fought to ensure the protection of those who had been made refugees by the war. In one instance, he personally intervened at the Stenkovac refugee camp to prevent a rioting mob from beating to death an ethnic Roma family.

As America’s first Ambassador to Macedonia, he worked with local authorities to quell ethnically religious violence and build institutions of democratic governance and civil society.

Most recently, Ambassador Hill strengthened a key bilateral alliance, partnering with Korean authorities and the commander of U.S. Forces in Korea to develop and implement the most significant realignment of our military posture in the region since the Korean war.

Ambassador Hill has a master’s degree from the Naval War College, and he has worked closely with our U.S. military on counterterrorism and counterinsurgency. Ambassador Hill has worked with some of the best military commanders of this generation, addressing some of our Nation’s toughest challenges—GEN Eric Shinseki in the Balkans, GEN Leon LaPorte in Korea, ADM Tim Keating of Pacific Command, to name just a few.

Ambassador Hill’s nomination has been endorsed enthusiastically by our last three Ambassadors to Iraq: Ambassador Ryan Crocker, Ambassador Zalmay Khalilzad, and Ambassador John D. Negroponte. We need his experience and seasoned judgment during this crucial time of transition in Iraq. Ambassador Hill’s nomination has been vetted through the normal process. It is now time for the Senate to vote on his confirmation, and allow Ambassador Hill to get to work on the significant challenges ahead.

Mr. BUNNING. Mr. President, I rise today to give my remarks on the nomination of Christopher Hill to be United States Ambassador to Iraq. Unfortunately, I cannot support this nomination. There are two principal reasons for my opposition. The first is his inexperience in the Middle East and with the type of challenges provided by Iraq. The second is his actions and behavior during negotiations with North Korea.

It is generally accepted that career diplomats will serve in many very different parts of the globe. However, the position of Ambassador to Iraq is arguably the most important diplomatic post in the world to the United States. To see an example of just the type of the position of this job, we need to look to the most recent U.S. Ambassador to Iraq: Ryan Crocker. Mr. Crocker previously served as Ambassador to Pakistan, Syria, Kuwait, and
Mr. BROWNBACK. Mr. President, we are soon to vote on the issue of whether Chris Hill should be the next ambassador to Iraq, and I want to make a few comments about that in closing. I think there has been a good, full discussion, and I think it has been a good discussion. I misspoke at one point in time, in talking about Auschwitz and Poland. It wasn't a Polish concentration camp. It was in Poland, but it was run by the Nazis. I wanted to make sure I am clear on that to individuals.

Also, I wish to add Senator Hrushevsky to the North Korean Sanctions Act for the RECORD.

Today marks the Holocaust Remembrance Day, as cited earlier on the floor. The Holocaust Museum's theme this year is: "Never again: What You Do Matters." I think what Chris Hill did matters in this case.

I want to read one section of the statement from the Holocaust Museum and what they put forward about what you do matters. They stated:

Remembrance obligates us not only to remember the millions killed but also to reflect on what could have been done to save them. Those who survived tell us that as many faced their horrific deaths, their last words were "Tell our story." Survivors promised that they would, and that never again would the world stand silent or look the other way.

Well, I can't stand silent and look the other way in North Korea. And I think "never again" ought to mean that. The deeds of Ambassador Hill in North Korea—no progress on human rights, a terrible deal, failed diplomacy—and I can go through what has happened in 2 weeks. To reiterate, North Korea has launched a multistage ballistic missile over Japan, kidnapped two of our citizens, pulled out of the six-party talks, kicked out international nuclear inspectors and American monitors, restarted its nuclear facilities, and according to at least one news source is kickstarting uranium enrichment.

It was a terrible deal.

And in all this debate we have heard Chris Hill, where one colleague has defended the deal Chris Hill got with the North Koreans on its merits. Nobody has defended the deal he has gotten on the merits. They just said: Well, it is tough to negotiate. Yes, it is tough to negotiate, but on the merits, this was a terrible deal. And the irony is that the only thing dismantled in the six-party talks was our strategic deterrence and our moral authority. That was the only thing that was dismantled. Convening a six-party dialogue is not success in and of itself, especially when the result is so abhorrent.

We will have a chance to talk about this again shortly. It is going to be coming up in a supplemental. As a reminder here, in the Chamber, then-Senator Obama said:

Sanctions are a critical part of our leverage to pressure North Korea to act. They should only be lifted based on North Korean performance. If countries do not meet their obligations, we should move quickly to reimpose sanctions that have been waived and consider new restrictions going forward.

In the supplemental fight, there will be a discussion to give North Koreans more heavy fuel oil. I ask my colleagues not to put that in the bill. There will be a discussion on waiver and consideration in the supplemental. I ask my colleagues not to waive sanctions on North Korea in the supplemental fight, and I ask instead that we reimpose the sanctions that then-Senator and Presidential candidate, now President Barack Obama, called for in June of 2008. That seems to me to be an appropriate route for us to take as we look at this full set of problems we have and the discussion that we have had to date.

I ask my colleagues again to consider the qualifications of Ambassador Hill, the problems that have come under his watch, and the North Korean talks, and not confirm him to be our ambassador for Iraq in a situation where he has proved in such terrible results and on a Holocaust Remembrance Day when we say: Never again.

I further ask my colleagues that if you do confirm him, if he is confirmed today, that we actually do remember what happened and what we say matters and that we not go forward here at this point in time and say: Fine, we are going to go ahead and waive the sanctions. This was part of the Hill strategy toward North Korea; we are going to go ahead and waive these and we are going to let it happen anyway.

Mr. President, I realize I have used my time, and I do appreciate that my colleagues have let us have a full debate on this.

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.

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

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

Mr. KERRY. Mr. President, we have given Senators now a chance to air these grievances and raise questions and engage in a pretty full debate on the nomination of Chris Hill. I appreciate the issues my colleague has raised. I know he is deeply concerned about these, and has been one of the leaders in the Senate on the subject of human rights. We all respect that and we are determined in the course of our hearings and in the course of the work of the committee to keep that issue front and center, not just with respect to North Korea but with every country where those issues exist.

I do think it is unfair to suggest that Ambassador Chris Hill has done anything less than meet the standards we would expect with respect to his stewardship, both with the six-party talks as well as in the rest of his career, and I have talked about that a great deal.
We have heard the arguments and now is the time to vote. We need an ambassador in Iraq. We need this ambassador in Iraq.

This should not be a controversial nomination. Ambassador Hill is a proven expert negotiator. He is a problem solver. He is the best diplomat we have in the corps. As has been discussed, he has a great deal of experience with the skills that matter the most for the resolution of the remaining issues in Iraq, and he has been particularly involved in ethnic and sectarian conflicts not unlike those he will face when he gets over there. He has worked on multiparty international negotiations, and he is going to have to bring every skill he has learned in the fullness of his career to this task.

Particularly, I want to say we join Senator BROWNBACK in expressing the full concern of every Member of the Senate that we give meaning to the words “never again.” That is a solemn responsibility. It is a solemn responsibility particularly on this Holocaust Remembrance Day.

But it is also clear from the record, from Secretary Rice’s own words, that the decision to leave the Special Envoy for Human Rights out of these negotiations was not made by Chris Hill and we should not, in our votes today, hold that decision of his superiors against Chris Hill. It was a decision which Secretary Rice has spoken to publicly and I think that we have addressed the major concern that was raised by the Senator from Kansas.

We have also shown the fullness of Chris Hill’s own record on human rights and I think that record speaks for itself.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KERRY. I thank the Chair and look forward to this vote, I hope it will be an overwhelming vote in favor of our ambassador to Iraq.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to S. 386 be withdrawn, and that on Wednesday, following a period of morning business, the Senate proceed to the consideration of Calendar No. 28, S. 386.

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

Mr. REID. There will be no further rollcall votes today, of course after the Hill vote. Tomorrow we will consider financial fraud legislation. I encourage those Members who have indicated to the managers their interest in offering amendments or coming to speak on the bill, that they do that. I have spoken to the Republican leader today. He said he believes there are a number of amendments—not long in number—that the Republicans wish to offer. We solicit their good amendments. There could be several amendments from this side also. It would be good if we could get to legislating on this tomorrow.

I also say I think it set a good tone. We should not have to file cloture on every motion to proceed. I appreciate very much the Republicans not necessitating that wasteful vote. This bill has been on the calendar and available since March 5. No one has to be concerned about having seen this financial fraud legislation.

Members who have amendments should be ready to go forward with them tomorrow morning.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Christopher R. Hill, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Iraq?

Mr. KERRY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. There is a sufficient second. There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER. The result was announced—yeas 73, nays 23, as follows:

YEA—73

Akaka                                    Merkley
Alexander                                Mikulski
Baucus                                   Markey
Bayh                                     Murray
Bennet                                   To
Brown                                    Voinovich
Burris                                   Warner
Byrd                                     Blumenthal
Cantwell                                 Landrieu
Carlin                                   Landrieu
Carper                                   Landrieu
Casey                                    Langelle
Chambliss                                 McCaskill
Cochrane                                McCaskill
Collins                                  McCaskill
Cornyn                                   McCaskill
Corker                                   McCaskill
Dodd                                     McCaskill
Durbin                                   Menendez
Enzi                                     Menendez

NAY—23

Bennett                                 McConnell
Bond                                     McConnell
Brownback                                Sessions
Bunning                                  Sessions
Burr                                     Sessions
Coburn                                   Sessions
Correa                                   Sessions
Crapo                                    Sessions

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to re-
consider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

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

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

FLOODING IN NORTH DAKOTA

Mr. DORGAN. Madam President, I have come to the floor to talk for a moment about the unprecedented flooding that has occurred in the State of North Dakota in recent weeks. My colleague, Senator CONRAD, addressed it some yesterday, and I want to discuss it as well.

We have had flood disaster assistance now approved for 36 of North Dakota’s 53 counties, and it has been the most unprecedented, unbelievable flooding we have ever seen in the State of North Dakota. This chart I have in the Chamber shows, in red, the counties that have been declared disaster areas as a result of flooding. You can see it covers nearly three-fourths of the State of North Dakota. And we have had more snow, more moisture, more difficulty, more blizzards, and so on, and the rivers across our State have exceeded their banks and threatened very dramatic flooding, which I am going to talk about some today. But before I talk about the water, I want to talk about the people of North Dakota.

The unprecedented flooding that has driven people from their homes and caused so much damage and so much difficulty for so long has caused people in North Dakota to come together to do the most unusual things I have ever seen.

At midnight one night, I peered down the stairs of what is called the FARGODOME to see this large expanse. Inside this large dome building, at near midnight, I peered down on that floor, and there were thousands and thousands of people on the floor of that dome filling sandbags. They filled 3½ million sandbags in about 5½ days—3½ million sandbags in 5½ days. And they did not hire anybody to do that; they just put out a notice on the radio to say: We need people, and people showed up. The most unbelievable thing in Fargo, ND, was to watch what they did with the people shower that showed up. No one thought a group of people could do that, but they did—3½ million sandbags.
The Anne Carlson School over in Jamestown, ND—on the James River that began flooding—the Anne Carlson School previously, many years ago, was called the Crippled Children’s School. Children who are in that school need a great deal of care. There needed to be bought special care of the children. There was the Anne Carlson School. Eighty athletes from the college and the high school showed up, and in 4 hours, not just the children but the special beds and special equipment and all the things that are necessary to take care of the children was moved to higher ground and moved to safer quarters.

It is unbelievable that people all over our State just showed up. When all of these volunteers were out there walking the dikes—and particularly the National Guard that walked all of those dikes on the Red River especially, and now in Valley City, which has very high levels at the moment and is in a very difficult circumstance—we had all of these people involved 24 hours a day.

As is very typical in a State such as mine, hundreds and hundreds of people decided that one way they could participate is to prepare hot dishes and casseroles and meals. I was in meetings where we would show up with big platters of homemade sandwiches. I know volunteers who worked for hour after hour on end would find that people would show up with casseroles and hot dishes, as they call them in our part of the country. One of the ways you fight floods as well is to feed those who are hungry out there in the dike lines and out there who are sandbagging.

Let me show a couple of the sites from the Red River Valley. This is a photograph of a National Guard helicopter. I cannot say enough about the National Guard and how critically important they have been to this flood fight.

But, as you can see from this picture, this area is as flat as a table top. Someone once described the Red River and the Red River Valley as a table top. This is a copy of the Bismarck Tribune: “Forces of Nature.” It shows a number of head of cattle simply gathered here on the only piece of dry ground, stranded by all of the water. Of course, Linton, ND, a little community, a smaller community south of Bismarck, was hit with a significant flood.

Beulah and Hazen were hit with a significant flood, and Bismarck, ND, with ice jams, has a threat to a substantial portion of that city of a wall of 3 or 3 1/2 feet of water that would inundate the southern part of that city if the ice jams broke.

All of these communities were facing those kinds of challenges. In Ramona, ND, this is dead cattle shown in this picture. We do not know the count yet of how many dead head of livestock we will have, but it will be plenty, and our ranchers will have suffered a substantial amount. In addition to the dead livestock that is going to happen, we will have, undoubtedly, more than 3 million acres of ground that cannot be planted this year because of water—another difficulty as a result of this flood to the agriculture community.

As shown in this picture, one is block from Main Street in Beulah, ND. I will be in Beulah on Saturday of this week. Here is the threat that Beulah faced, a city in the center of our State, and all of these communities: Valley City, Lisbon, La Moure, Fort Ransom, Mott, Beulah, Linton, Bismarck—and the list goes on—Pembina. All of these cities faced very substantial flooding this year.

Here, shown in this picture, is a feed lot west of Mandan, ND, with a couple dogs and a bucket. All you can see is water because that is all there was because of complete total flooding.

This is a photograph of a flooded yard and outbuilding in Fargo, ND, with a dog looking over the dikes.

Let me say the Corps of Engineers has done a masterful job. Let me also say the mayor and the vice mayor and the folks in Fargo and so many other communities, in fortress, the Red River Valley. The mayor of Valley City even today is continuing to fight this fight. If you go into a fight, a flood fight, you want the Corps of Engineers on your side because they have sent down their forces to our State to try to fight these floods.

This is a photograph of sandbagging, in this case by National Guardsmen, in Bismarck, ND.

This is a photograph of the dropping of 2,000-pound sandbags in areas of the dikes that were about to breach, dropping from a helicopter 2,000-pound sandbags into a crevice to see if they could stop a breach.

These are just a few of the challenges we have faced in so many different communities: Jamestown, La Moure, Beulah/Hazen, Mott, Fort Ransom—so many other communities.

I want to say that I think almost everyone in North Dakota has been overwhelmed by what they are seeing and feeling a good neighbor really means. It means showing up, just showing up when you are needed—not because somebody asked you to but because you just felt you should because it was part of the destiny and the future of your community to be involved in fighting floodwaters.

This is a natural disaster, and it is going to take some long while for our State to recover. But our State is a community of interests that has made me enormously proud. The folks who settled the northern Great Plains are pretty special people. My ancestors showed up there from Europe a long, long time ago and pitched a tent on the prairies and raised a family and then built a house and started a farm. That is the way they started populating the prairies of the northern Great Plains.

In North Dakota, they still look after each other when times are tough. And this is about as tough a time as I have ever seen in my lifetime in the State of North Dakota with respect to natural disasters. We know that 12 years ago, in 1997, the city of Grand Forks faced a flood and the dikes breached and the city was flooded, 30,000 people was evacuated. It was the largest evacuation of a major city at that time since the Civil War. We well understand a flood fight, well understand the consequences of natural disasters and flooding, and I am proud to say Grand Forks has come roaring back as a city.

I am also proud to say the cities of Fargo and Moorhead and Wahpeton and Breckenridge and others have fought back these floodwaters, and we did not have a breach in our dikes, so that a major portion of the cities were protected. But other areas were not. The mayor of Oxbow, ND, for example—I recall standing on a dike with him, and
his eyes were full of tears as he recalled and recounted the fight they fought and lost in some areas because they simply could not hold back the waters.

There are so many stories and so much mishistory, as a result of a natural disaster, but I think there is also a second side to it, and that is a very inspirational side of what people can do for each other and with each other to try to deal with these difficult times. The one thing about life is, success is pretty easy to handle. The question is, How do you handle things when times get a little tough?

I wanted to say I am so proud of the people of my State, the State I am privileged to represent. We have a lot now to do with the Corps of Engineers, with future water projects, and the kinds of protections that are needed to be improved for future flood protection. That will come at a different moment in the weeks and months ahead, but for now I simply wanted to describe to my colleagues some of the circumstances we faced in our State and especially the stories about what people did together to try to make a big difference, fighting back the waters of these rivers that exceeded their banks and caused such havoc in many of our communities.

TRIBUTE TO JOHN HOPE FRANKLIN

Mr. WEBB. Madam President, I would like to take some time today and talk a little bit about an individual for whom I have great admiration who passed away without much comment from this body last month, John Hope Franklin. I think perhaps the most eminent Black historian in America. Even that does not do justice to John Hope Franklin, one of the most eminent historians in our country, who happened to be of African-American descent.

I make these comments as someone who spent a good deal of my life as a writer and dedicated to examining American history, and also I make them in the spirit that our Attorney General offered when he said: Maybe we should have a little more courage when we are talking about issues like race in America.

It is interesting to take a look at the paper this morning and see the Pulitzer Prizes that were awarded this year; the Pulitzer Prize for history being awarded to Annette Gordon-Reed for a book entitled “The Hemingses of Monticello: An American Family,” which ties into the continuing saga of Thomas Jefferson and for general nonfiction, a book entitled “Slavery by Another Name: The Re-Enslavement of Black Americans From the Civil War To World War II,” by Douglas A. Blackmon, which is another examination of the situation of Black America in the American South.

Those are both important contributions to our understanding of American history. When I look at John Hope Franklin, who died at the age of 94 last month, and the contributions he made and the environment in which he grew up and basically conquered through his success, I look at an individual who had a lot to offer me, that I was a young man trying to put the history of the American South into some context because John Hope Franklin had the courage to not only address Black history but to place it into the context of American history, not to deal with it as a separate thing.

There is a very fine obituary that was written in the Economist April 4 edition which outlined a lot of the high points and the challenges of John Hope Franklin’s life. I ask unanimous consent that this obituary be printed at the end of my remarks.

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

(See exhibit 1.)

Mr. WEBB. I am going to hit a couple of points in this obituary, then I want to talk about the American South as John Hope Franklin understood it and where we are today, White and Black.

John Hope Franklin was born in Arkansas, later, he moved to Oklahoma. His father moved to Oklahoma when he was 6 years old to practice law. He had his own challenges in that environment during the Jim Crow laws. He then went to Fisk University, was an outstanding scholar, got a doctorate at Harvard. He became the first African American to lead an all-White history department at Brooklyn College.

He later taught at the University of Chicago, and as the Economist pointed out:

Unlike many after him, he did not see “black history” as an independent discipline and never taught a formal course on it. What he was doing was revising American history as a whole. His books, especially “From Slavery to Freedom” which was first published in 1947, offered Americans their first history but to place it into the context of the entire world.

When I was at Georgetown Law Center, after I left the Marine Corps, and was studying on my own, sort of an avocation, of ethnic settlement patterns in America, I was being confronted with a lot of rhetoric that had come out of people who did not understand the American South, who did not really understand that, in truth, the American South has never been White against Black, even during its worst times. It was more a three-tiered than a two-tiered society. It was a small veneer of White aristocrats in many ways manipulating White against Black.

White and Black in the majority of the American South economically differed very little at all. I started reading John Hope Franklin’s classic book, “From Slavery to Freedom.” I saw that he was an intellectually honest observer, a passionate observer of true history, and he commented in this book on that in 1860, at the height of slavery right before the Civil War began.

Region-wide, less than 5 percent of the Whites in the South owned slaves.

If you think about what the American perception is on the issue of South versus slavery, you will realize what an astounding statistic that happens to be. He also went on to say:

Fully three-fourths of the white people of the South had neither had slaves nor an immediate economic interest in the maintenance of slavery or the plantation system.

So contrary to a lot of rhetoric today and a lot of misunderstanding, John Hope Franklin was giving an actual context that in the South, fully 75 percent of the Whites were beside Blacks during the Civil War and afterwards had never benefitted from slavery or had never participated in it as an economic institution.

The aftermath of the Civil War was a very difficult time for the American South, White and Black. As I wrote in my book “Born Fighting,” between the end of the Civil War and the beginning of World War II, the South was basically an owned place. It was a colonized place and it was colonized doubly. It was colonized from the outside, an entire region owned from the outside in its basic infrastructure, its banking systems, its schools not properly funded, and it was also colonized from the inside.

This is the area that we see so many historians commenting on even today: that is, the planters society, early, before the Civil War, became, in many ways, this aristocracy that kept White and Black down at the same time, and it has taken us a very long time to get past that.

In 1933, President Roosevelt published probably the most comprehensive document on the economic conditions of the American South that has ever been written. He pointed out in this document in 1933, the educational base of the South has been decimated, White and Black. Illiteracy in the South was five times as high in the North Central States and more than double the rate in living in the Middle Atlantic States.

The total endowments of all of the colleges and universities in the South were less than the combined endowments of Harvard and Yale alone. The South was being required to educate one-third of the nation’s children with one-sixth of the nation’s school revenues. The richest state in the South in 1933 ranked lower in per-capita income than the poorest state outside the region.

In 1933, the average annual income in the South was only $314, while the rest of the country averaged more than $600. This report pointed out, importantly, using the terms of the time:

Whites and Negroes have suffered alike. Of the 1.8 million tenant families in the region, about 66 percent are white [the South’s population at this time was 71 percent white] . . . half of the sharecroppers are white, living under conditions almost identical with those of Negro sharecroppers.

The region had 28 percent of the country’s population. In 1937 it had 11 percent of the nation’s bank deposits.
SO THIS WAS A REGION, ALL THE WAY INTO WORLD WAR II, WHERE YOU HAD LEGAL SEPARATION, WHICH WE WERE ABLE TO OVERCOME THROUGH THE CIVIL RIGHTS MOVEMENT AND THROUGH A LOT OF VERY COURAGEOUS PEOPLE, JOHN HOPE FRANKLIN AMONG THEM.

BUT ONCE YOU GET PAST THE LEGAL RESTRICTIONS, THE ECONOMIC CONDITIONS AMONG A PREOCCUPATION OF THE POPULATION WERE BASICALLY THE SAME. BUT THIS HAS PROVIDED DOWNSTREAM IMPLICATIONS FOR BOTH AFRICAN AMERICANS AND PEOPLE OF EUROPEAN DESCENT IN THE AMERICAN SOUTH.

WHEN I WAS IN LAW SCHOOL IN 1974, THE NATIONAL OPINION RESEARCH CENTER AT THE UNIVERSITY OF CHICAGO DID A STUDY ON WHITE ETHNIC GROUPS, BROKE THEM DOWN BY 17 DIFFERENT CRITERIA. WHITE BAPTISTS, WHICH BASICALLY ARE A POPULATION THAT HAS DESCENDED OUT OF THE AMERICAN SOUTH THROUGH THE SCOTCH-IRISH MIGRATION—OF WHICH I WROTE IN "BORN FIGHTING"—AVERAGE 10-7 YEARS OF EDUCATION. SO THE POINT TO BE MADE IS THAT FOR BOTH OF THESE GROUPS WITH A VERY COMMON HERITAGE, ONCE WE SET ASIDE, AS WE HAVE, THE LEGAL DISPARITIES THAT TORMENTED THE SOUTH FOR SO LONG, HAVE VERY SIMILAR CHALLENGES IN TERMS OF BREAKING DOWN GENERATIONAL CYCLES.

IN THE OBITUARY FROM THE ECONOMIST THAT WAS WRITTEN ABOUT JOHN HOPE FRANKLIN, THIS POINT WAS MADE:

MILITANCY WAS NOT IN HIS NATURE. HE WAS TOO COURTEOUS FOR THAT, AND TOO COURTEOUS A MAN. ASKED WHETHER HE HATED THE SOUTH, HE WOULD SAY, ON THE CONTRARY, HE LOVED IT. HIS DEEPEST PROFESSIONAL DEBT WAS TO A WHITE MAN, TED CURRIER, WHO HAD INSPIRED HIM TO STUDY HISTORY AND HAD GIVEN HIM $500 TO SEE HIM THROUGH HARVARD.

I WOULD SAY, AS WE REMEMBER THIS TRULY BRILLIANT AMERICAN, THAT HE NOT ONLY LOVED THE SOUTH, HE UNDERSTOOD IT.

FROM THE ECONOMIST, APRIL 4, 2009

JOHN HOPE FRANKLIN

His chief pleasures were contemplative and patient. With watering can and clippers, he would potter in his greenhouse among hundreds of orchids. On standing in a river, he would wait for hours until a fish tickled his line. These were, one could say, typical historian’s amusements; very close, in rhythm and character, to the painstaking, careful accumulation of tiny pieces of fact.

And yet what John Hope Franklin collected, over a lifetime of scholarship, were scraps of dollars for the cost of a branding iron. A deed of sale, in Virginia in 1829, for a male slave “of a yellow colour” who “is not in the habit of running away.” Or that of 1880 of Edward Johnsson, a black child apprentice:

“I was bacon and plased with a rope a round my rists my back iniately naked and swung up then and there Each of (the men) tuck a cow hide one on Either side and beet me in such a manner when they let me down I fanted and lay on the ground 2 hours.”

To those who could add from his own experience. The train journey to Checotah, Oklahoma, when he was six, that ended when his mother refused to move from the white section of the law office in Tulsa, reduced to rubble after a race riot in 1921. The day he was told by a white woman whom he was helping, at 12, across the road, that he should take his “filthy hands” off her. And the warm evening when he went to buy ice cream in Marche, France, as a 28-year-old student from Fisk University, scholarly in his glasses—only to find as he left the store that a semi-circle of white farmers had formed to block his return, and that he should not try to break through their line.

Academia offered no shelter. He excelled from high school onwards, eventually earning a doctorate and becoming, in 1956, the first black head of an all-white history department at a mostly white university, Brooklyn College. Later, the University Library shut in Chicago and Montgomery, Louisiana, the archivist called him a “Harvard nigger” to his face. In the state archives in Raleigh, North Carolina, he was thrust to a tiny separate room and allowed a free run of the stacks because the white assistants would not serve him. At Duke in 1941, as a university to which he returned 40 years later, he was not allowed to see him through Harvard.

Yet, alongside the dignity and the ready smiles, a sense of outrage burned. He longed to tell white tourists thronging Washington that the Capitol by night, and that Pennsylvania Avenue had held a slave market, “right by where the Smithsonian is.”

In the obituary from the Economist in it. What he was doing was revising American history as a whole. His books, especially "From Slavery to Freedom" (1947), offered Americans their first complete view of themselves.

THOMAS JEFFERSON’S WINE

Militancy was not in his nature. He was too scrupulous a historian for that, and too courteous a man. Asked whether he hated the South, he would say, on the contrary, that he loved it. His deepest professional debt was to a white man, Ted Currier, who had inspired him to study history and had given him $500 to see him through Harvard.

Yet, alongside the dignity and the ready smiles, a sense of outrage burned. He longed to tell white tourists thronging Washington that the Capitol by night, and that Pennsylvania Avenue had held a slave market, “right by where the Smithsonian is.”

In the obituary from the Economist in it. What he was doing was revising American history as a whole. His books, especially "From Slavery to Freedom" (1947), offered Americans their first complete view of themselves.

Today, the names of some of those who perished will be read aloud in the Museum Hall of Flags on Thursday. Holocaust survivor and Nobel Laureate Elie Wiesel will join President Barack Obama and congressional leaders in a ceremony in the Capitol Rotunda.

Even now, so many decades later, we continue to uncover more stories of untold brutality and terror during the Holocaust, as work by the International Institute for Holocaust Remembrance. The United States Holocaust Memorial Museum exposes new evidence of Nazi genocide. These little-known cases are even more poignant today, as we consider the renewed struggle against anti-Semitism and continued denial by some of the State of Israel’s very right to exist.

Next week, on April 29, we will celebrate 61 years since the establishment of Israeli independence, and 61 years of unwavering U.S.-Israeli friendship. Last year, it was my proud to lead the Senate in adopting a bipartisan resolution to honor Israel in its achievement of 60 years of statehood, and its resilience as a stronghold of democratic principles and freedoms in a volatile region. Although Israel remains under constant siege from neighboring states and terrorist groups, its unwavering dedication to these ideals and its proud history of survival demonstrate that Israel will endure and it will do so with the United States standing firmly by its side.

Today, as we both remember those who perished in the Holocaust and look...
toward the coming celebration of Israel’s independence, let us reflect upon the imperative we face. Since the establishment of the term “genocide” in 1944, the terrible events in former Yugoslavia, Rwanda, and now ongoing in Sudan have taught us what must be avoided so it will not happen again. The day of Yom Hashoah calls upon each one of us to work individually and collectively to rededicate ourselves to overcoming intolerance, prejudice, and bigotry, just as important—indifference, wherever and whenever we encounter them.

To the vibrant Jewish community that calls our great state of Nevada home, I wish you a joyous celebration of the 61st anniversary of Israel’s independence, and I look forward to many more years of productive friendship between the United States and Israel. And to all who gather today and all of this week to pay tribute to the victims and survivors of the Holocaust, let us join together in honoring their memories and pledging to take up our shared mission of remembrance and action.

Mr. NELSON of Florida. Madam President, I rise today for the solemn purpose of commemorating Holocaust Remembrance Day. I just returned from an overseas visit to examine missile defense issues in Russia, the Czech Republic, and Poland. In Poland, I visited the Warsaw Ghetto memorials, one of which was built on the location where the Jews were transported to the death camp at Treblinka, beginning in July 1942. I was moved by the sight of the sign that read another monument built to the heroes of the Warsaw Ghetto uprising. The death camps would not be liberated until 1945, but we remember this courageous struggle against overwhelming odds.

In America and throughout the world, Jews are observing this day in synagogues, reciting prayers. Young people listen to the testimonies of survivors. I believe it is hoped that they will understand the horror of the worst crimes committed by humankind, so that the Holocaust is not forgotten by future generations.

Florida has the largest number of Holocaust survivors in the entire country. These survivors remind us that the Holocaust was a tragedy of almost unimaginable proportions. Today we remember those who lost their lives, not because of any crime they may have committed, but simply because of their faith and their heritage. And, though Jews were indeed the primary victims, we also remember the others who suffered persecution and were murdered by the Nazis: Gypsies and Poles, Jehovah's Witnesses, the handicapped, gays, political dissidents and Soviet prisoners of war.

In addition to marking this day, we in Congress are doing what we can to ensure that we never forget what happened during the Holocaust and that it never happens again. Earlier this year, two of my distinguished colleagues, Senators COLLINS and CARDIN, introduced an important resolution that I cosponsored, which condemns anti-Semitism in all its forms.

In respect for the victims of the Holocaust and surviving relatives, I will introduce a resolution on resolution on reparation or compensation for property and other assets seized by the Nazi and Communist regimes in postwar Europe, in anticipation of the International Conference on Holocaust Assets that will be held in Prague at the end of June. This conference is the follow-up to the International Conference that was held 10 years ago in Washington, which established the framework for compensation programs that were established throughout western Europe during the past decade.

I would point out that we still must determine how to address the cases of the remaining Holocaust victims who have yet to be compensated for the unpaid value of insurance policies they held before their lifetimes. I would support legislation that actually helps survivors to obtain just compensation and avoid dragging out compensation efforts or giving false hope to survivors.

I will also be introducing the World War II War Crimes Accountability Act to encourage foreign governments to prosecute and extradite wanted criminals, and to bring them to justice.

Despite the efforts of the U.S. Government, particularly the Department of Justice, such as the Simon Wiesenthal Center, a number of perpetrators of crimes against humanity remain at large. What is worse, we know exactly where some of the individuals are living, but the countries where they reside refuse to extradite them to face justice.

We are in a race against time. Each year, more Holocaust survivors are laid to rest. Let us work together quickly to let them see a measure of justice done in their lifetimes.

Finally, our Government has made solemn commitments in the past that the horror of the Holocaust will never be repeated. And yet we are all well aware of the grim stories of ethnic cleansing in the former Yugoslavia in the 1990s, the mass murder of Tutsis in Rwanda in 1994, and now the ongoing genocide in Darfur. America as a nation must be a leader on the world stage to prevent genocide.

I urge President Obama, Secretary of State Clinton and UN Ambassador Rice to continue the battle against ignorance, intolerance, and instability that seem to contribute to genocide, and to confront those governments that engage in genocide. And America must make every effort to ensure that those who commit these horrific crimes face justice.

RETIREMENT OF RABBI SOIFER

Mr. REID. Madam President, I rise today to recognize Rabbi Myra Soifer, who will retire on June 30, 2009, after 25 years of service to the congregation of Temple Sinai in Reno, NV. Rabbi Soifer was one of the first ten women ordained as a rabbi after the Reform Jewish movement accepted them in 1972. A well accomplished scholar, she received her undergraduate degree from the Hebrew Union College in Cincinnati, Ohio, and graduate work at the Pacific School of Religion in Berkeley, CA, and the Leo Baeck College Rabbinical School in London, England.

Rabbi Soifer has enriched her community with her grasp of the Torah and its teachings. Under her guidance, Temple Sinai has grown into a vibrant religious community with an expanded religious school and an enlarged campus that can accommodate both the congregation’s largest gatherings as well as community meetings.

Besides being a dedicated spiritual leader, she has been the real engine of a community of faith that has been a powerful voice for good in the community at large. Rabbi Soifer has been a fearless, driving force in bringing the greater faith community together around prayer, and to address moral and political issues. She also led Temple Sinai to help organize the Northern Nevada interfaith response to the tragic events of 9/11. She has organized women in the faith community as the founder of the Reno Clergywomen’s Caucus. She has led the interfaith clergy study group known as the ‘“Study Buddies”, which has been going strong for over 20 years. The community recognizes her as a passionate advocate for social justice, celebrating cultural and religious diversity, and caring for the underserved locally and globally.

Her accomplishments have been recognized in many ways over the years, as she has been the recipient of the Metropolitan Community Church’s Human Rights Award; University of Nevada, Reno’s Psychological Services Award; ACLU’s Civil Libertarian of the Year; and Reno Magazine’s ‘‘88 people to watch in ‘88’’. Rabbi Soifer’s reach in the community goes beyond the Temple’s walls, having worked with the Washoe County School District, Nevada Coalition Against the Death Penalty, Witness For Peace, Reno/Sparks Metro Ministry, Community Coalition to End Hate and Violence, Northern Nevada AIDS Foundation, Planned Parenthood of Northern Nevada, Northern Nevada Black Cultural Awareness Society, and the Food Bank of Northern Nevada.

I join with Nevadans throughout the Silver State to honor Rabbi Myra Soifer for her lifetime dedication to her faith, her community, and the social justice of all people. She has indelibly made a tremendously impact which will endure in the institutions she has enriched.

LEGACY OF CHICAGO’S ARTURO VELASQUEZ, SR.

Mr. DURBIN. Madam President, at the start of the Great Depression, a
Mexican immigrant mother in Gary, IN, found herself with no job, no money and no food. So she did the only thing she could think of: She decided to pack up her young son and move back to Mexico, where they would at least have something to eat.

Fortunately for the city of Chicago, which I am honored to represent, the old Model T Ford they rode in overturned near Albuquerque, leaving them stranded without money.

The mother took a job as a farm worker and they began migrating between sugar beet fields in the Black Hills of South Dakota and tomato farms in Minnesota and Iowa.

Eventually, they landed in Chicago.

Over the next seven decades, that little boy, Arturo Velasquez, would become a civic treasure in Chicago: an entrepreneur, philanthropist, activist, advisor to Chicago’s leaders, and patriarch of one of Chicago’s leading Hispanic families.

Mr. Velasquez was dedicated to his family, his church, his business, and the city of Chicago, especially the Mexican American community on Chicago’s South Side.

This past Friday, Mr. Velasquez passed on at the age of 93. But his influence will live on in the people he inspired, the lives he helped change, and the opportunities he helped create for so many.

Mr. Velasquez was a gracious man. He was also humble. He used to describe himself as a “jukebox operator.”

In fact, he owned one of Chicago’s largest music and game firms, Velasquez Automated Music Co, which he founded more than 70 years ago. It is run today by his son Ed and daughter Maria Elena.

In 1970, Mr. Velasquez helped another son, Art, found Azteca Foods, Inc; which supplies thousands of groceries and other food products. In 1976, Mr. Velasquez’s daughter Carmen, that provides free health care to thousands of Chicago families each year in the mostly Latino Pilsen, Little Village and Back of the Yards neighborhoods.

I cannot tell you how impressed I am with Carmen and her work at Alivio.

The fact that her father inspired her and now wants to continue helping her, even in his passing, says a lot about the family.

Mr. Velasquez received many well-deserved accolades including an honorary doctorate for public service from St. Xavier University, and the Ohtl Award from the Mexican government, the highest award to a Mexican who lives outside that country.

And in 2002, he was honored by the Chicago Historical Society with its Making History Award.

But what meant most to Mr. Velasquez was his family with a home of their own.

As a young father, Mr. Velasquez dreamed of being able to provide his family with a home of their own.

It took a while. He bought an empty lot at 72nd Street and St. Louis Avenue in 1945. But he did not build a house on it until 1956.

Mrs. Velasquez once told a reporter, “Every Sunday he would take the kids to the empty lot. He’d tell them, ‘Go jump on it. It’s yours.’ And I’d say, ‘Can you think of any other place to go?”

In 1959, Mr. Velasquez covered the White Sox for a Spanish-language newspaper. That year, the Sox won their first pennant in 40 years, only to lose the World Series to the Los Angeles Dodgers.

In 2005, Mr. Velasquez’s family’s great-grandson Willy threw out the first pitch during Game 2 of the division series.

He had tickets to every game of the playoffs.

And he saw his beloved White Sox, at last, win the World Series, another dream come true for a man who made the dreams of so many others possible.

I want to express my deep condolences to his wife Shirley, their children, Art, Raymond, Carmen, Maria Elena and Edward, and their grandchildren and great-grandchildren.

Arturo Velasquez was a gracious and generous man and a true community leader. He will be greatly missed.
SFC Bryan E. Hall, 32, of Elk Grove, CA, died April 10 when his military vehicle was struck by a suicide vehicle-borne improvised explosive device in Mosul, Iraq. Sergeant First Class Hall was assigned to the 1st Battalion, 67th Armor Regiment, 2nd Brigade Combat Team, 4th Infantry Division, Fort Carson, CO.

SGT Raul Moncada, 29, of Madera, CA, died April 13 near Baghdad, Iraq, of wounds sustained when an explosive device detonated near his vehicle. Sergeant Moncada was assigned to the 563rd Military Police Company, 91st Military Police Battalion, 10th Sustainment Brigade, 10th Mountain Division, Light Infantry, Fort Drum, NY.

LCpl Ray A. Spencer II, 20, of Ridgecrest, CA, died April 16 as a result of a non-hostile incident in Anbar province, Iraq. Lance Corporal Spencer was assigned to 3rd Battalion, 3rd Marine Regiment, 3rd Marine Division, Kaneoe Bay, HI.

I would also like to pay tribute to the four soldiers from CA who have died while serving our country in Operation Enduring Freedom since November 19.

SSG Joshua R. Townsend, 30, of Solvang, CA, died January 16 in Tarin Kowt, Afghanistan, of injuries sustained in a noncombat related incident. Sergeant Townsend was assigned to the 1st Battalion, 7th Special Forces Group, Airborne, Fort Bragg, NC.

SSgt Daniel L. Hansen, 24, of Tracy, CA, died February 14 while supporting combat operations in Farah province, Afghanistan. Staff Sergeant Hansen was assigned to Marine Wing Support Squadron 171, Marine Wing Support Group 17, 1st Marine Air Wing, III Marine Expeditionary Force, Iwakuni, Japan.

LT Florence B. Choe, 35, of El Cajon, CA, died March 27 when an insurgent posing as an Afghan National Army soldier opened fire on personnel assigned to the Combined Security Transition Command—Afghanistan at Camp Shaheen, Mazar-e-Sharif, Afghanistan.

AIC Jacob I. Ramsey, 20, of Hesperia, CA, died April 10 of injuries sustained from a noncombat related incident in Kabul, Afghanistan. Airman First Class Ramsey was assigned to the 712th Air Support Operations Squadron, Fort Hood, TX.

CORPORAL MICHAEL B. ALLEMAN

Mr. HATCH. Madam President, I rise today to pay tribute to CPL Michael B. Alleman of Logan, UT. Corporal Alleman died in the service to our country on February 23, 2009, of wounds suffered when insurgents attacked his unit using small arms in Iraq’s Diyalah Province. He was 32 years old and is survived by his parents Boyd and Susan Alleman, his wife Amy, and their two sons Kai and Kenneth.

Corporal Alleman served in the 5th Squadron, 1st Cavalry Regiment, 1st Stryker Brigade Combat Team, 25th Infantry Division, Fort Wainwright, AK.

Two years ago, Michele Alleman decided to put his teaching career on hold to enlist in the U.S. Army. When he explained this decision to his fifth grade class at Nibley Elementary School, he said he wanted to be like the Nation’s first President, who left his career as a Virginia plantation owner to rise up arms against the British monarchy. He said that George Washington was his hero.

I am proud to talk about another American hero today, CPL Michael Alleman. He defines what makes our Nation great. With absolute surety, he exhibited a devotion to duty and sense of purpose that transcends personal comfort and desire. Corporal Alleman heard his country’s call to duty and in that service he gave his last full measure of devotion. He gave his life so we can continue to remain safe and free each day.

As I read accounts from his family and friends, it was readily apparent he was a tremendously selfless and caring man. He was a man who deeply loved his family and cared about those around him. His family would bend over backward for anyone. It is no wonder he so readily decided to serve this Nation.

Let us not forget the sacrifice of CPL Michael Alleman. His service should inspire everyone in this Chamber. I thank him for his service and pray for his family and friends during this tre- mendously difficult time. His wife Amy stated, “My boys will always know their father stood up to defend this country.” Well, so shall we also re- member and cherish the memory of his service.

TREATMENT OF DETAINEES IN U.S. CUSTODY

Mr. LEVIN. Madam President, today we are releasing the declassified report of the Senate Armed Services Committee’s investigation into the treatment of detainees in U.S. custody. The report was approved by the committee on November 20, 2008, and has, in the intervening period, been under review at the Department of Defense for declassifi- cation.

In my judgment, the report represents a condemnation of both the Bush administration’s interrogation policies and of senior administration officials who attempted to shift the blame for abuses at Abu Ghraib, Guantanamo Bay, and Afghanistan—to low ranking soldiers. Claims, such as that made by former Deputy Secretary of Defense Paul Wolfowitz that detainee abuses could be chalked up to the unauthorized acts of a few bad apples, were simply false.

The truth is that, early on, it was senior civilian leaders who set the tone. On September 16, 2001, Vice President Dick Cheney suggested that the United States turn to the “dark side” in our response to 9/11. Not long after that, after White House Counsel Alberto Gonzales called parts of the Geneva Conventions “quaint,” President Bush determined that provisions of the Geneva Conventions did not apply to certain detainees. Other sen- ior officials followed the President and Vice President’s lead, authorizing poli- cies that included harsh and abusive interrogation techniques.

The record established by the committee’s investigation shows that sen- ior officials sought out information on, were aware of training in, and author- ized the use of abusive interrogation techniques. Those senior officials bear ultimate responsibility for establishing the legal and operational framework for the abuses. As the committee report concluded, authorizations of aggres- sive interrogation techniques by senior officials resulted in abuse and conveyed the message that physical pressures and degradation were appropri- ate treatment for detainees in U.S. military custody.

In a May 10, 2007, letter to his troops, GEN David Petraeus said that “what sets us apart from our enemies in this fight . . . is how we treat . . . In everything we do, we must observe the standards and values that dictate that we treat noncombatants and detainees with dignity and respect. While we are warriors, we are also all human beings.” With last week’s release of the Department of Justice Office of Legal Counsel, OLC, opinions, it is now wide- ly known that Bush administration of- ficials distorted Survival Evasion Re- sistance and Escape “SERE” training—a legitimate program used by the military to train our troops to resist abu- sive enemy interrogations—by author- izing abusive techniques from SERE for use in detainee interrogations. Those decisions conveyed the message that abusive treatment was appropri- ate for detainees in U.S. custody. They were also an affront to the values articulated by General Petraeus.

In SERE training, U.S. troops are briefly exposed, in a highly controlled setting, to abusive interrogation tech- niques used by enemies that refuse to follow the Geneva Conventions. The techniques are based on tactics used by Chinese Communists against American soldiers during the Korean war for the purpose of eliciting false confessions for propaganda purposes. Techniques used in SERE training include strip- ping detainees of their clothing, placing them in stress positions, putting hoods over their heads, subjecting them to face and body slaps, depriving them of sleep, throwing them up against a wall, confining them in a small box, treating them like animals, subjecting them to loud music and flashing lights, and ex- posing them to extreme temperatures. Until recently, the Navy SERE school also used waterboarding.

The purpose of the SERE program is to provide U.S. troops who might be captured a taste of the treatment they might face so that they might have a better chance of surviving captivity and resisting abusive and coercive interrogations.
SERE training techniques were never intended to be used in the interrogation of detainees in U.S. custody. The committee’s report, however, reveals troubling new details of how SERE techniques came to be used in interrogation in U.S. custody.

The committee’s investigation uncovered new details about the influence of SERE techniques on military interrogations at Guantanamo Bay, Cuba—GTMO. According to newly released testimony from a military behavioral scientist who worked with interrogators at GTMO, “By early October [2002] there was increasing pressure to get ‘tougher’ with detainee interrogations” at GTMO. (p. 50). As a result, on October 2, 2002, 2 weeks after attending interrogation training led by SERE instructors from the Joint Personnel Recovery Agency, JPRA, the DOD agency that oversees SERE training, the behavioral scientist and a colleague drafted new guidelines for aggressive interrogation techniques at GTMO. The behavioral scientist said he was told by GTMO’s intelligence chief that the interrogation memo needed to contain coercive techniques or it “wasn’t going to go very far.” (p. 69).

Declared excerpts from that memo indicate that it included stress positions, food deprivation, forced grooming, hooding, removal of clothing, exposure to cold weather or water, and scenarios designed to convince a detainee that he might expect a painful or fatal outcome. “On October 11, 2002, MG Michael Dunlavy, the Commander of JTF–170 at GTMO, requested authority to use aggressive techniques. Major General Dunlavy’s request eventually made its way to Department of Defense, DoD, General Counsel Jim Haynes’ desk. Notwithstanding serious reservations raised by the military service lawyers, Haynes recommended that Secretary of Defense Donald Rumsfeld approve 15 of the aggressive interrogation techniques requested by GTMO. On December 2, 2002, Secretary Rumsfeld approved Haynes’ recommendation, authorizing such techniques as stress positions, removal of clothing, use of phobias—such as fear of dogs—and deprivation of light and auditory stimuli.

The committee’s investigation revealed that, following Secretary Rumsfeld’s authorization, senior staff at GTMO drafted a standard operating procedure—SOP—for the use of SERE techniques, including stress positions, forcibly stripping detainees, slapping, and “wallowing” them. That SOP stated that “The premise behind this is that the interrogation tactics used at U.S. military SERE schools are appropriate for use in real-world interrogations.” Week later, in January 2003, trainers from the Naval SERE school traveled to GTMO and provided training to interrogators on the use of SERE techniques on detainees. (pp. 98–104).

The influence of Secretary Rumsfeld’s December 2, 2002, authorization was not limited to interrogations at GTMO. Newly declassified excerpts from a January 11, 2003, legal review by a special mission unit, SMU, Task Judge Advocate, SJA, about Secretary Rumsfeld’s authorization and its impact in Afghanistan of the Deputy SJA said: “the methodologies approved for GTMO would appear to me to be legal interrogation processes. [The Secretary of Defense] had approved them. The General Counsel then approved them . . . I believe it is fair to say the procedures approved for Guantanamo were legal for Afghanistan.” (p. 156).

The committee’s report provides extensive details about how the aggressive techniques made their way from Afghanistan to Iraq. In February 2003, an SMU Task Force designated for operations in Iraq obtained a copy of the SMU interrogation policy from Afghanistan that included aggressive techniques, changed the letterhead, and adopted the policy verbatim. (p. 158). Months later, the Interrogation Officer in Charge at Abu Ghraib obtained a copy of the SMU interrogation policy and submitted it, virtually unchanged, to the JPRA Security Coordination Element and the Office of the Secretary of Defense for CJTF–7 that approved it. (p. 154). The Interrogation Officer in Charge at Abu Ghraib testified that he “commonly used the [technology] to get information from the detainees. It was common to use stress positions, forced nudity, and military working dogs—were used by military intelligence personnel responsible for interrogations.

The Interrogation Officer in Charge at Abu Ghraib in the fall of 2003 acknowledged that stress positions were used in interrogations at Abu Ghraib. (p. 212).

The investigation also revealed that, following Secretary Rumsfeld’s authorization, interrogators at GTMO and later at CJTF–7 were permitted to reintroduce previously forbidden SERE techniques to detainees in Afghanistan. (p. 203).

Not only did SERE techniques make their way to Iraq, but SERE instructors did as well. In September 2003, JPRA sent a team to Iraq to provide assistance to interrogation operations at an SMU Task Force. The Chief of Human Intelligence and Counterintelligence at the Task Force testified to the committee in February 2008 that JPRA personnel demonstrated SERE techniques to SMU personnel including so-called “wallowing” and striking a detainee as they do in SERE school. (p. 175). As we heard at our September 2008 hearing, JPRA personnel were present during abusive interrogations during that same trip, including one where a detainee was placed on his knees in a stress position and was repeatedly slapped by an interrogator. (p. 176).

JPRA personnel even participated in an interrogation, taking physical control of a detainee, forcibly stripping him naked, and giving orders for him to be kept in a stress position for 12 hours. In August 3, 2007, testimony to the committee, one of the JPRA team members said that, with respect to stressed the detainee, “we’ve done this 100 times, 1000 times with our [SERE school] students.” The committee’s investigation revealed that forced nudity continued to be used in interrogations at the SMU Task Force for months after the JPRA visit. (pp. 181–182).

Over the course of the investigation, the committee obtained the statements and interviews of scores of military personnel at Abu Ghraib. These statements reveal that the interrogation techniques authorized by Secretary Rumsfeld in December 2002 for use at GTMO—including stress positions, forced nudity, and military working dogs—were used by military intelligence personnel responsible for interrogations.

An intelligence analyst at Abu Ghraib told military investigators in February 2004 that “someone from [military intelligence] gave me a list of cells, for me to go see, and pretty much have my dog bark at them. . . . Having the dogs bark at them was psychologically breaking them down for interrogation purposes.” (p. 203).

An intelligence analyst at Abu Ghraib told military investigators in May 2004 that it was “common that the detainees on [military intelligence] hold in the hard site were initially kept naked and given clothing as an incentive to cooperate with us.” (p. 212).

An interrogator told military investigators in May 2004 that it was “common to see detainees in cells without clothes or naked” and says it was “one of our approaches.” (p. 213).

The investigation revealed that interrogation policies authorizing aggressive techniques were approved months after the CJTF–7 policy was reissued to exclude the techniques, and
even after the investigation into detainee abuses at Abu Ghraib had already begun. For example, an interrogation policy approved in February 2004 in Iraq included techniques such as use of military working dogs and stress positions.

A policy approved for CJTF–7 units in Iraq in March 2004 also included aggressive techniques. While much of the March 2004 policy remains classified, newly declassified excerpts indicate that it warned that interrogators “should consider the fact that some interrogation techniques are viewed as inhumane or otherwise inconsistent with international law before applying each technique. These techniques are labeled with a [CAUTION].” Among the techniques labeled as such were a technique involving power tools, stress positions, and the presence of military working dogs. (pp. 220–221).

Some have asked why, if it is okay for our own U.S. personnel to be subjected to physical and psychological pressures in SERE school, what is wrong with using those SERE training techniques on detainees? The committee’s investigation answered that question. On October 2, 2002, LTC Morgan Banks, the senior Army SERE psychologist warned against using SERE training techniques during interrogations in an email to personnel at GTMO, writing that SERE . . . [The use of physical pressures brings with it a large number of potential negative side effects . . . When individuals are gradually exposed to increasing levels of discomfort, it is much easier for them to resist harder . . . If individuals are put under enough discomfort, i.e. pain, they will eventually do whatever it takes to stop the pain. This will increase the amount of information they tell the interrogator, but it does not mean the information is accurate. In fact, it usually decreases the reliability of the information because the interrogator will say whatever he believes will stop the pain . . . Bottom line: the likelihood that the use of physical pressures increases the delivery of accurate information from a detainee is very low. The likelihood that the use of physical pressures will increase the level of resistance in a detainee is very high. (p. 69).]

Likewise, the Deputy Commander of DOD’s Criminal Investigative Task Force at GTMO told the committee in 2006 that CITF “was troubled with the rationale that techniques used to harden resistance to interrogations would be the basis for the utilization of techniques to obtain information.” (p. 69).

Other newly declassified emails reveal additional warnings. In June 2004, after many SERE techniques had been authorized in interrogations and JPRA was considering sending its SERE trainers to interrogation facilities in Afghanistan, another SERE psychologist warned: “[W]e need to really stress the difference between what instructors teach in school (don’t forget INCREASE RESISTANCE capability in students) versus what is taught in interrogator school (done to gather information). What is done by SERE instructors is by definition ineffective interrogator conduct . . . Simply stated, SERE school does not train you on how to interrogate, and things you ‘learn’ there by osmosis about interrogation are probably wrong if copied by interrogators.” (p. 220).

If we are to retain our status as a leader in the world, we must acknowledge and confront the abuse of detainees in our custody. The committee’s report and investigation makes significant findings and recommendations. Therefore, it is still the question, however, of whether high level officials who approved and authorized those policies should be held accountable. I have recommended to Attorney General Holder that he select a distinguished individual or individuals—either inside or outside the Justice Department, such as retired federal judges—to look at the volumes of evidence relating to treatment of detainees, including evidence in the Senate Armed Services Committee’s report, and to determine whether, if any, should be taken to establish accountability of high-level officials—including lawyers.

TRIBUTE TO LINDSEY JEWELL
Ms. SNOWE. Madam President, I rise today to recognize the 5 years of outstanding service that Lindsey Jewell has provided to me in various capacities in both my personal office, and on the Senate Committee on Small Business and Entrepreneurship, of which I am ranking member. Ever since Lindsey began working in my office in 2004, I have been consistently impressed with her dedication, professionalism, and hard work, and I am sad to see her leave the Senate.

While still a student at the University of Maine Orono, my alma mater, Lindsey began her Senate career as an intern in my Washington office and on the Senate Small Business and Entrepreneurship Committee, and I was delighted to have Lindsey in my Bangor office. There, she served as a key liaison between my office and Maine constituents, assisting them in solving their problems and concerns with the Federal Government. Lindsey’s work on behalf of Mainers proved to be her true passion, and after graduating in 2005 with a B.A. in political science, she came back to Washington, DC, to join my staff here.

Upon arriving in Washington, Lindsey hit the ground running as the Senate’s legislative correspondent, handling a hefty portfolio of issues ranging from taxes, budget, and banking to agriculture, immigration, and foreign affairs. Lindsey’s stellar stand-out performance in dealing with these issues led to her earning a promotion to Director of Constituent Correspondence in 2006. In this role, she oversaw all of my office’s legislative correspondents, helping me ensure that mail was responded to in a thoughtful and timely manner. In this position, Lindsey gained immense experience dealing with a vast array of issues the Senate faces. She also proved to be a capable, talented, and amicable leader, who was a tremendous supervisor.

During the summer of 2007, Lindsey left my personal office and moved three floors up in the Russell Building to serve as Senior Research Analyst on the Senate Committee on Small Business and Entrepreneurship. As ranking member of that committee, I continued to benefit from Lindsey’s wisdom and insight. That said, her departure certainly left a large void in my personal office. Lindsey provided me with detailed and thorough materials on a range of small business issues, she once again earned a well-deserved promotion to Professional Staff Member early in 2008. In that capacity, Lindsey advised the committee on matters relating to women-owned businesses, small business energy concerns, entrepreneurial development programs, and military base redevelopment initiatives.

Lindsey was instrumental in my recent introduction of the Defense Communities Assistance Act of 2009, a key bill aimed at providing immediate economic development benefits to all base communities, for both closed and active military installations across the country. Additionally, she helped me prepare an amendment to the fiscal year 2010 budget resolution to ensure that small businesses receive adequate funding under the Energy Star program. Lindsey’s versatile nature and willingness to assist her colleagues in any way possible led her to drafting statements and press releases for a variety of committee hearings, bill introductions, and small business events, covering a host of issues.

Lindsey’s sense of humor and easy-goingness make her instantly likeable. But more crucially, her responsible nature and advanced analytical skills make her indispensable to anyone she is working for. And Lindsey is a true team player, not afraid to do any task beneath her. Indeed, she was a key member of my office’s softball team this past summer, someone equally feared and respected by opponents!

That is why I am deeply saddened that Lindsey will be leaving us this week. But I am thrilled for Lindsey’s future, as she will be marrying her long-term boyfriend, Patrick Hughes, in just a few weeks in Portland, ME. Pat, a Marine officer, and Lindsey will be enjoying their wedding this summer, another important milestone in her life. Indeed, Lindsey has provided to me in various capacities, including lawyers.

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over the past several years. Her sincerity, thoughtfulness, creativity, and consideration of others will be sorely missed. Lindsey, thank you for your service to Maine and America, and best wishes for your bright future.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Madam President, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heart-breaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but I believe it deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today’s letters printed in the RECORD.

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

I own a small construction business and, on the surface, high prices do hurt my bottom line; however, that is not such a bad thing. I have always been conscious about my personal and worldwide energy use, but the fast rate of price increase has made me even more, especially about my driving. My driving has increased, and my total mileage for the year has decreased several thousand miles. This is a good thing especially when I consider that everybody I am taking to work has a car because the same way the statistics say Americans are driving less; that is a good thing. It is good the people get humbled and remember that every bit of energy consumption is a good thing. It is good the people think the only way we can make it is if government controls, but when government controls we lose as is shown by the dropping dollar and high energy prices. The dollars and our own ingenuity, let us use it and refine it.

You may not want my input on the high energy prices, because I see a lot of good coming from them. For one thing, the air is a lot cleaner. Also, I would assume there are fewer car accidents/deaths due to fewer cars on the road. People are improving their health because they are out there walking, bicycling, etc. Also, I am reaching out to help one another. It is also forcing people to be more creative in the ways that they are dealing with the higher price of products/food. They are asking themselves, is it something they want or do they actually need it. They are fixing up the things they have instead of throwing them away and filling up the landfill. To me, I see the high energy prices as a change of direction. A good change of direction.

As for all the money that is being accumulated, I think it would be best used on developing alternate forms of energy—wind, solar, etc. Drilling for more oil is just going to extend the inevitable. The oil is going to run out and, while we are waiting for it to run out, we will continue to destroy the planet and ourselves.

Thank you for asking for my experience with the recent rapid rise in gasoline/energy prices. I have focused on prices in Idaho, and remember the first “energy crisis” in the mid 1970s when fuel prices more than doubled but were still way below one dollar. I have focused my purpose on developing alternate forms of energy—wind, solar, etc. Drilling for more oil is just going to extend the inevitable. The oil is going to run out and, while we are waiting for it to run out, we will continue to destroy the planet and ourselves.

Fike, Nampa.

Our family has been working to get out of debt and have breathing room to finally start saving for retirement; but with the price of fuel going up daily, there is no way. In fact we are sinking deeper in debt. We work so hard to make sure that the grandchildren play ball or buy groceries. We both have to drive quite a distance to our work everyday and the fuel cost is outrageous. We love our home, but cannot afford the commute, but with the housing market and fuel costs, we cannot sell either! So we are still forced to commute, driving straight to where we stay when we go down for our work and then our jobs and back again.

We have always been a nation of integrity, of a backbone, fueled by necessity. If our government will get out of the way and let her people do what we need to do to be self-sufficient again, we will all be better off. It is so sad that so many people think the only way we can make it is if government controls, but when government controls we lose as is shown by the dropping dollar and high energy prices. The dollars and our own ingenuity, let us use it and refine it.

Nancy.

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Kathleen.

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The energy crisis is hitting us like almost everyone in Idaho. It is not bad enough that we are paying extra for our pump but we are also paying nearly twice what we were this time last year at the grocery store. In Idaho we do not have mass transit to utilize, we are stuck paying for the gas at the pump.

I did have one idea to help Idaho rely less on oil for power. My husband works at the INL and we have seen the negative publicity about nuclear power. The Federal Government owns all that land, as I understand it, and with the size of RHV we are talking about, wind mills up out there? That would be free power after paying for the wind mills. There is probably enough area for wind mills that they could power the entire state of Idaho without the use of water or oil. You could most likely find some kind of federal grant to help wind the mills. It is just one idea for you to consider.

Gayle.

I find it absolutely ridiculous that we cannot drill for oil within the United States. I find it insane that we are dependent on foreign sources. I find it ludicrous that Congress refuses to do anything about the issue. I find it absurd that they keep raising our gas prices every day. It is not much, but it adds up quickly at $1.00+ a gallon. I cannot even pay at the pump anymore, because the $75 limit on my credit card will not fill my tank. I fully support the Drill Here, Drill Now, Pay Less campaign. Please support any legislation that increases our energy independence and gets the price down!

DANN, Rigby.

This last school year 07–08 I lived in Twin Falls and attended the College of Southern Idaho. We had four girls living in our apartment. The first semester two of us had vehicles and two of my roommates received help from their parents. In January, those two roommates moved out and the two that moved in did not receive financial help from their parents either. Because we could not put wind mills up out there? That would be free power after paying for the wind mills. There is probably enough area for wind mills that they could power the entire state of Idaho without the use of water or oil. You could most likely find some kind of federal grant to help wind the mills. It is just one idea for you to consider.

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At this time I drive 36 miles round trip from our home to work at INL in Idaho Falls. I own a small construction business and, on the surface, high prices do hurt my bottom line; however, that is not such a bad thing. I have always been conscious about my personal and worldwide energy use, but the fast rate of price increase has made me even more, especially about my driving. My driving has increased, and my total mileage for the year has decreased several thousand miles. This is a good thing especially when I consider that everybody I am taking to work has a car because the same way the statistics say Americans are driving less; that is a good thing. It is good the people get humbled and remember that every bit of energy consumption is a good thing. It is good the people think the only way we can make it is if government controls, but when government controls we lose as is shown by the dropping dollar and high energy prices. The dollars and our own ingenuity, let us use it and refine it.

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rise in energy cost, this next year will be even harder. Yes, we could take out student loans for more than just tuition and books but having large amounts of borrowed money with a guaranteed way to pay it back is scary.

On another note, my parents now live in Las Vegas. They have been here waiting for about a month and a half. My father, who is now 77, has worked hard all his life for our family. Now he works even harder. He gets up every morning, leaves the house by 5 a.m. so he can walk 15 minutes to catch the bus and then walk for another 20 minutes to be at work by 6:30 a.m. so he can save a much-needed $200 break in gas expenses. This makes him at least 1.5 hours longer each day to get to and from work, that is, if the bus is not so full that he could catch the first one home and not wait for the three or the next one. He owns two older vehicles that are diesel. When he bought them, diesel was cheaper than gas and they both get 17–18 miles to the gallon. They got the best mileage of SUVs and Trucks. However, even though they are paid for and worth a bit of money, there is no longer a market for vehicles like that so he cannot sell them for close to what they are worth and so he cannot afford to buy another vehicle with better gas mileage.

In my personal opinion, the United States government may not be able to make energy cost go down but I feel that they could make them more secure. The U.S. relies largely on oil and gas for its energy needs. Most of those countries are in some of the most unstable parts of the world, meaning our energy supply is unstable. We need to bring it home. Yes, there are countries such as Qatar that are stable and I think we should still support them. However, for example, places such as Nigeria, Brazil, Venezuela, U.S.-based Chevron have had problems due to lack of stability in the region) are not only unstable for reliance of supply but are unstable for the environment. Even if energy cost will not subside, most likely the stability of supply and price would increase and the environment would be better off all over if we were more self-reliant.

MRS. BOXER. Madam President, I want to thank you for being a clear voice for logical solutions to oil supply, and for having the courage to stand against the knee-jerk reactionaries who are intent on convincing the American public that industry greed, rather than governmen
tal interference.

We agree that alternative energy sources need to be developed by the private sector with as little federal interference as possible, but believe it is misguided to suggest that the oil industry should be spending their capital for R&D into alternative vehicles. It seems to us that actions to force the oil industry to do so is the equivalent of federally mandating a private industry to incorporate a product of interest into their business plan. Logic indicates that such a federal action would drive the oil industry to raise product prices to allow their ongoing oil production to pay to continue the pursuit of an alternative fuel R&D program for which the industry and its shareholders would have little, if any, business interest in advancing.

The X-Prize type concept Senator McCain recently mentioned to encourage R&D to develop super batteries for powering vehicles is a concept I have had and shared frequently for several years, although I ques
tion why the Senator’s focus was narrowed to only to battery technology than offering the prize for the first “vehicle” to meet defined safety, performance, capability and efficiency standards and allow the private competitors to pursue hydrodynamic fuel-cell technology, compressed air and steam technologies, advanced internal combustion en
gine technologies, even micro-nuclear tech
tologies and biotechnologies, rather than only electrical battery technologies. (Batteries for electric cars might be a practical idea in some applications, but it is doubtful if such R&D would benefit the oil burning aviation or shipping industries.) Anyway, we wanted to thank you for being the first person in Congress, and its leadership.

EMILY, Twin Falls.

Mr. CRAPO, Madam President, today I would like to note the sudden passing of Peter K. Wilson, of Lapwai, ID. A lifelong farmer, World War II veteran and father of seven, Peter was a leader in Idaho agriculture. He served as chairman of the Nez Perce County Agricul
tural Stabilization and Conservation Service, and as a member of the Idaho State Brand Board, the Nez Perce County Fair Board, the Lewiston Grain Growers Board, and the Idaho Co-op Council Board of Directors. From 1988 until his untimely death on March 30, 2009, Peter was an elected commis
sioner of the Port of Lewiston, and served as chairman for several terms. From 1999 to 2005, Peter also served on the board of the Pacific Northwest Waterways, and was chair

25TH ANNIVERSARY OF THE LAND CONSERVANCY OF SAN LUIS OBISPO COUNTY

Mrs. BOXER. Madam President, I want to recognize the 25th anniversary of the Land Conservancy of San Luis Obispo County, LCSLO.

Created in 1984 by a group of local residents determined to protect lands throughout San Luis Obispo County, LCSLO has enjoyed successes over the past 25 years in its efforts to ensure a proud legacy of scenic beauty and healthy lands throughout the county. What began as an all-volunteer group working on small conservation agreements has since grown into an es
tablished land trust with 16 professional staff members. LCSLO staff and volunteers work to set aside local lands for wildlife, farming, and ranching by meaningfully and thoughtfully addressing the major issues of our day: protecting drinking water sources; restoring wildlife habitat; and promoting family farms and ranches.

Since its initial projects in Cambria and Nipomo Mesa, LCSLO has perma
nently protected over 10,500 acres of land in San Luis Obispo County. The organization has worked to conserve over 100 acres of streamside lands to enhance habitats of steelhead trout, purchased over 500 individual lots to protect the Monterey Pines in Cambria, and restored hundreds of acres of damaged coastal land in the Guadalupe-Nipomo Dunes. Today, five of the Conservancy’s land parcels are available for public use. Parcels that总面积 needs to be developed by the private sector with as little federal interference as possible, but believe it is misguided to suggest that the oil industry should be spending their capital for R&D into alternative vehicles. It seems to us that actions to force the oil industry to do so is the equivalent of federally mandating a private industry to incorporate a product of interest into their business plan. Logic indicates that such a federal action would drive the oil industry to raise product prices to allow their ongoing oil production to pay to continue the pursuit of an alternative fuel R&D program for which the industry and its shareholders would have little, if any, business interest in advancing.

The X-Prize type concept Senator McCain recently mentioned to encourage R&D to develop super batteries for powering vehicles is a concept I have had and shared frequently for several years, although I ques
tion why the Senator’s focus was narrowed to only to battery technology than offering the prize for the first “vehicle” to meet defined safety, performance, capability and efficiency standards and allow the private competitors to pursue hydrodynamic fuel-cell technology, compressed air and steam technologies, advanced internal combustion en
gine technologies, even micro-nuclear tech
tologies and biotechnologies, rather than only electrical battery technologies. (Batteries for electric cars might be a practical idea in some applications, but it is doubtful if such R&D would benefit the oil burning aviation or shipping industries.) Anyway, we wanted to thank you for being the first person in Congress, and its leadership.

EMILY, Twin Falls.

Mr. CRAPO, Madam President, today I would like to note the sudden passing of Peter K. Wilson, of Lapwai, ID. A lifelong farmer, World War II veteran and father of seven, Peter was a leader in Idaho agriculture. He served as chairman of the Nez Perce County Agricul
tural Stabilization and Conservation Service, and as a member of the Idaho State Brand Board, the Nez Perce County Fair Board, the Lewiston Grain Growers Board, and the Idaho Co-op Council Board of Directors. From 1988 until his untimely death on March 30, 2009, Peter was an elected commis
sioner of the Port of Lewiston, and served as chairman for several terms. From 1999 to 2005, Peter also served on the board of the Pacific Northwest Waterways, and was chair

25TH ANNIVERSARY OF THE LAND CONSERVANCY OF SAN LUIS OBISPO COUNTY

Mrs. BOXER. Madam President, I want to recognize the 25th anniversary of the Land Conservancy of San Luis Obispo County, LCSLO.

Created in 1984 by a group of local residents determined to protect lands throughout San Luis Obispo County, LCSLO has enjoyed successes over the past 25 years in its efforts to ensure a proud legacy of scenic beauty and healthy lands throughout the county. What began as an all-volunteer group working on small conservation agreements has since grown into an es
tablished land trust with 16 professional staff members. LCSLO staff and volunteers work to set aside local lands for wildlife, farming, and ranching by meaningfully and thoughtfully addressing the major issues of our day: protecting drinking water sources; restoring wildlife habitat; and promoting family farms and ranches.

Since its initial projects in Cambria and Nipomo Mesa, LCSLO has perma
nently protected over 10,500 acres of land in San Luis Obispo County. The organization has worked to conserve over 100 acres of streamside lands to enhance habitats of steelhead trout, purchased over 500 individual lots to protect the Monterey Pines in Cambria, and restored hundreds of acres of damaged coastal land in the Guadalupe-Nipomo Dunes. Today, five of the Conservancy’s land parcels are available for public use. Parcels that
He received numerous awards and honors throughout his working life, including the Governor’s Award for Lifetime Achievement in Agriculture, Nez Perce County Grassman of the Year and Nez Perce County Outstanding Farm Citizen.

Peter’s love of farming, the mountain pastures he called home, and his family was well-known to many. In his contributions to the community and to Idaho agriculture, he touched many lives, working hard and providing strong, principled leadership. Peter will certainly be missed. I offer my condolences to Peter’s wife, Pat, and their family at this difficult time.

HONORING THE LET’S GET READY PROGRAM

Mr. KERRY. Madam President, Fenway Park, America’s most beloved ballpark, will play host to a different collection of superstars on April 30: the young people from cities across Massachusetts including Boston, Brockton, Lawrence, Springfield and Worcester, whose achievements are not measured in batting average or RBIs or All Star Game selections; but in SAT scores, GPA and college acceptance letters.

These young people measure their success by the number of lives they change, the number of young people they help get into college, and the dreams they help make real for hundreds of Massachusetts high school students each year.

Tonight at Fenway Park, you will not find Josh Beckett or Dustin Pedroia or Kevin Youkilis. But you will find Pat Johnson and tonight, to the people at Fenway, he is every bit the superstar David Ortiz is.

Patrick is the incoming Boston College Site Director for Let’s Get Ready or LGR, an organization relying wholly on the generosity, compassion and selflessness of college students that guides low-income high school students through the dizzying and daunting college admissions process. He is joined at Fenway tonight by LGR’s other volunteers and supporters and by the students and families they work so hard to help.

The college students who volunteer with LGR serve as coaches. These college coaches provide SAT preparation and assistance with all aspects of the college application process in their under-served students in five Massachusetts communities. The college application process has become a multimillion-dollar industry and too often low-income students find themselves at a disadvantage. They can not afford the private SAT tutors or professional personal essay advisers more affluent high school students take advantage of. Commercial prep courses cost anywhere from $1,200 to $5,000; LGR has a direct cost of only $500 per student.

That $500 goes a very long way. LGR helps to level the playing field and ensure the remarkable opportunities that can come from a college education are not reserved for the well-to-do or well-connected. And level the playing field is exactly what the LGR coaches do. Ninety-two percent of LGR students go directly to college after high school, compared to 47 percent of low-income students nationally. LGR students increase their SAT score by an average of 110 points. LGR has provided support to over 7,500 high school students and engaged over 3,500 college students in meaningful service learning experiences.

I commend Pat and all the superstar LGR coaches at Fenway Park tonight and I thank them for their efforts to ensure no hardworking student with a dream of a college education is left on the sidelines.

GRAND OPENING OF NUCOR CORPORATION’S DETAILING CENTER

Mr. NELSON of Nebraska. Madam President, today I wish to recognize a major business expansion in my home State of Nebraska which will serve as an inspiration for all businesses struggling in the face of this economic recession.

The Nucor Detailing Center will celebrate its grand opening on May 1, 2009, in Norfolk. This is a state-of-the-art facility operated by Nucor Corporation, a Fortune 500 Company and national manufacturer of steel products.

Nucor’s story is an impressive one. Nationally, Nucor has 20,000 employees; more than 900 of them are in Norfolk, NE. Despite a downturn in America’s economy which has hit the steel industry especially hard, Nucor practices a no-layoff policy and has not closed any of its plants.

In fact, in Nebraska, Nucor is expanding with the opening of its Nucor Detailing Center. The Detailing Center is the fourth Nucor division to locate in Norfolk, which is the only city in the world claiming four Nucor divisions.

The Nucor Detailing Center started as a small group with just seven employees. Today, it employs 70 team-mates with plans to grow to 200 in the near future. This grand opening, in the midst of an economic crisis, the likes of which our country has not seen since the Great Depression, is a testament to the indomitable spirit of the American businessman and to Nucor’s belief in a return on its investment in its most valuable resource—workers.

Nucor has gained a reputation as North America’s largest recycler and as a company which puts an emphasis on safety, the environment and social responsibility. Now, Nucor is adding to that reputation by being able to expand and excel even during troubled economic times.

Congratulations to Nucor Detailing Center on its grand opening! Nebraska is proud to have Nucor Corporation as one of our fine corporate citizens.

TRIBUTE TO JONATHAN EDWARD KOTILNEK

Mr. THUNE, Madam President, today I wish to recognize Jonathan Edward Kotilnek, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Jonathan is a graduate of T.F. Riggs High School in Pierre, SD. Currently, he is attending Marquette University Law School, where he is obtaining his juris doctor. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Jonathan for all of the fine work he has done and wish him continued success in the years to come.

TRIBUTE TO TESSA JEAN HOLKESVIK

Mr. THUNE, Madam President, today I wish to recognize Tessa Jean Holkesvik, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Tessa Jean Holkesvik is a graduate of Central High School in Aberdeen, SD. Currently she is attending George Washington University, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Tessa for all of the fine work she has done and wish her continued success in the years to come.

TRIBUTE TO BRENNA JANE BAHR

Mr. THUNE, Madam President, today I wish to recognize Brenna Jane Bahr, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several months.

Brenna is a graduate of Aberdeen Central High School in Aberdeen, SD. Currently, she is attending the Catholic University of America, where she is majoring in history. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Brenna for all of the fine work she has done and wish her continued success in the years to come.

LAFOURCHE PARISH POLICE SOCIAL SERVICES SECTION

Mr. VITTER. Madam President, today I wish to recognize and pay tribute to the heroic men and women of
the Police Social Services Section, PSS, of Lafourche Parish, LA, for their victim advocacy, courage, Federal leadership, and professional innovation in victim services. I would like to take some time to make a few remarks on their tireless efforts and work on behalf of crime victims.

National Crime Victims’ Rights Week will be observed from April 26 to May 2, 2009. This year marks the 25th anniversary of the passage of victim rights legislation in the United States, laid before the Senate, together with an accompanying papers, reports, and documents, and were referred as indicated:

EC–1286. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report entitled “Thiamethoxam; Pesticide Tolerances” (FRL-8407–8) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1287. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Modification of Pesticide Tolerance Revisions for Diazinon” (FR–2120–AA64) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1288. A communication from the Acting Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report relative to the Product Improvement Pilot Program (PIPP); to the Committee on Armed Services.

EC–1289. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes” ((RIN2120–AA64) (Docket No. FAA–2009–0885)) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1290. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Bombardier Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes” ((RIN2120–AA64) (Docket No. FAA–2009–0885)) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1291. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Death Valley, CA” ((Docket No. FAA–2008–0137) (Airspace Docket No. 08–AWP–2)) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1292. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model A319 Series Airplanes and Model A320–600 Series Airplanes” ((RIN2120–AA64) (Docket No. FAA–2008–0018)) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Commerce, Science, and Transportation.

MESSENGERS FROM THE PERSIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

TRANSMITTING CERTIFICATION THAT THE EXPORT OF ONE CONTINUOUS MIXER, ONE JET MILL, AND ONE FILAMENT WINDING CELL IS NOT DETRIMENTAL TO THE U.S. SPACE LAUNCH INDUSTRY, AND THAT THE MATERIAL AND EQUIPMENT, INCLUDING ANY INDIRECT TECHNICAL BENEFIT THAT COULD BE DERIVED FROM THESE EXPORTS, WILL NOT MEASURABLY IMPROVE THE MISSILE OR SPACE LAUNCH CAPABILITIES OF THE PEOPLE’S REPUBLIC OF CHINA—FM 14

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

The Congress of the United States:

In accordance with the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1989 (Public Law 105–261), I hereby certify to the Congress that the export of one continuous mixer to be used to manufacture conductive polymer compounds to be further processed to make circuit protection devices, one jet mill to be used for particle size reduction of pigments and other powder products for cosmetic formulations, and one filament winding cell to be used to manufacture fiberglass assembly shelter poles for use in tents and shelters is not detrimental to the U.S. space launch industry, and that the material and equipment, including any indirect technical benefit that could be derived from these exports, will not measurably improve the missile or space launch capabilities of the People’s Republic of China.

BARACK OBAMA.

THE WHITE HOUSE, April 21, 2009.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:


EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1286. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report entitled “Thiamethoxam; Pesticide Tolerances” (FRL-8407–8) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1287. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Modification of Pesticide Tolerance Revisions for Diazinon” (Docket No. FAA–2009–0885) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1288. A communication from the Acting Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report relative to the Product Improvement Pilot Program (PIPP); to the Committee on Armed Services.

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EC–1291. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class E Airspace; Death Valley, CA” ((Docket No. FAA–2008–0137) (Airspace Docket No. 08–AWP–2)) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1292. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model A319 Series Airplanes and Model A320–600 Series Airplanes” ((RIN2120–AA64) (Docket No. FAA–2008–0018)) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Commerce, Science, and Transportation.
EC–1294. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Boeing Model 737–700, 737–800 and 737–900” (RIN1219–AE64) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1295. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Model A318, A319, A330, and A321 Airplanes” (RIN1219–AE64) (Docket No. FAA–2008–3277) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1296. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “EPA’s National Greenhouse Gas Inventory Program” (RIN1620–AD33) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1297. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the Government in the Sunshine Act; to the Committee on Energy and Natural Resources.

EC–1298. A communication from the Commission, transmitting, pursuant to law, the report of a rule entitled “Review of National Fuel Economy Standards Passenger Cars and Light Trucks Model Year 2011” (RIN1217–AK29) (Docket No. NHTSA–2009–0062) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1299. A communication from the Federal Register, pursuant to law, the report of a rule entitled “Protection of Endangered and Threatened Species; Revocation of Secure Habitat Designation for the Desert Canyons Centipede” (RIN1220–AA68) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC–1300. A communication from the General Counsel for Legislation and Regulatory Affairs, Office of Management and Budget, pursuant to law, the report of a rule entitled “Final Rule Regarding Public Participation” (RIN1308–11–000) (Order No. 722) as received during adjournment of the Senate in the Office of the President of the Senate on April 7, 2009; to the Committee on Energy and Natural Resources.

EC–1301. A communication from the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled “Carbon Emission Factors for Electric Utilities” (RIN1620–AD33) received in the Office of the President of the Senate on April 13, 2009; to the Committee on Energy and Natural Resources.

EC–1302. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Federal Aid Program; Expiration Dates for Double Crested Cormorant Depredation Orders” (RIN1018–AW1) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Environment and Public Works.

EC–1303. A communication from the Acting Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Promotion of Energy Efficient Electric Utility Infrastructure Investment” (RIN1210–AV72) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Environment and Public Works.

EC–1304. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Delaware; Update to Materials Incorporated by Reference” (FRL–8760–9) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Environment and Public Works.

EC–1305. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Urban Air Quality Standards; Technical Corrections” (FRL–8762–2) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Environment and Public Works.

EC–1306. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Delaware; Update to Materials Incorporated by Reference” (FRL–8769–7) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1307. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Idaho; Update to Materials Incorporated by Reference” (FRL–8769–7) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1308. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Maine; Update to Materials Incorporated by Reference” (FRL–8776–3) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1309. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Montana; Update to Materials Incorporated by Reference” (FRL–8782–10) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1310. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Update to Materials Incorporated by Reference” (FRL–8782–10) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1311. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Utah; North Dakota; Texas; Update to Materials Incorporated by Reference” (FRL–8782–10) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1312. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Final Authorization of State Implementation Plans; Iowa; Wisconsin; Final Authorization of State Implementation Plans; Kansas; Update to Materials Incorporated by Reference” (FRL–8782–10) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1313. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; New Jersey; Diesel Engine Emissions Control Devices; Update to Materials Incorporated by Reference” (FRL–8782–10) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1314. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Washington; Update to Materials Incorporated by Reference” (FRL–8782–10) as received during adjournment of the Senate in the Office of the President of the Senate on April 16, 2009; to the Committee on Environment and Public Works.

EC–1315. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Revisions to the California State Implementation Plan, Approval of the Ventura County Air Pollution Control District—Reassessment of Air Contaminant and Air Quality Analyses” (FRL–8784–2) as received during adjournment of the Senate in the Office of the President of the Senate on April 17, 2009; to the Committee on Environment and Public Works.

EC–1316. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Update to Materials Incorporated by Reference” (FRL–8782–10) as received during adjournment of the Senate in the Office of the President of the Senate on April 17, 2009; to the Committee on Environment and Public Works.

EC–1317. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled...
the Office of the President of the Senate on April 16, 2009; to the Committee on Finance.

EC–1343. A communication from the Chief of the Publications and Regulations Branch, Interagency Task Force, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Phase-out of Credit for New Qualified Hybrid Motor Vehicles and New Advanced Lean Burn Motor Vehicles’’ (Notice 2009-37) received in the Office of the President of the Senate on April 21, 2009, to the Committee on Finance.

EC–1344. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of $50,000,000 or more with Japan; to the Committee on Foreign Relations.

EC–1345. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of $100,000,000 or more with Japan; to the Committee on Foreign Relations.

EC–1346. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles or defense services in the amount of $100,000,000 or more with Greece; to the Committee on Foreign Relations.

EC–1347. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles and defense services in the amount of $100,000,000 or more with the Republic of Korea; to the Committee on Foreign Relations.

EC–1348. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles and defense services in the amount of $100,000,000 or more with South Korea; to the Committee on Foreign Relations.

EC–1349. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of $100,000,000 or more with the United Arab Emirates; to the Committee on Foreign Relations.

S. 841. A bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation; to the Committee on Commerce, Science, and Transportation.

By Mr. KERRY:

S. 842. A bill to repeal the sunset of certain enhancements of protections of servicemembers relating to mortgages and mortgage foreclosures, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to pay mortgage holders unpaid balances on housing loans guaranteed by Department of Veterans Affairs, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. LAUTENBERG (for himself, Mr. REED, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. KERRY, Mr. KENNEDY, Mr. LEVIN, Mrs. Feinstein, Mr. DURBIN, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. MENENDEZ):
SUBMISSION OF CONCURRENT AND
SENATE RESOLUTIONS

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

By Mr. BROWN (for himself and Mr. VOINOVICH):

S. 21. A resolution celebrating the outstanding athletic accomplishments of the University of Findlay men’s basketball team for winning the National Collegiate Athletic Association Division II Championship; considered and agreed to.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. Res. 107. A resolution commending the University of Connecticut Huskies for their historic win in the 2009 National Collegiate Athletic Association Division I Women’s Basketball Tournament; considered and agreed to.

ADDITIONAL COSPONSORS

S. 144

At the request of Mr. LEAHY, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 263F.

S. 292

At the request of Mr. SPECTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 292, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 343

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 343, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage services of qualified respiratory therapists performed under the general supervision of a physician.

S. 358

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. MARANTZ) was added in certain as a cosponsor of S. 358, a bill to ensure the safety of members of the United States Armed Forces while using expeditionary facilities, infrastructure, and equipment supporting United States military operations overseas.

S. 386

At the request of Mr. LEAHY, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 386, a bill to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

S. 408

At the request of Mr. INOUYE, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 408, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 428

At the request of Mr. DORF, the names of the Senator from Arkansas (Mr. PRIOR) and the Senator from Virginia (Mr. VALENTINO) were added as cosponsors of S. 428, a bill to allow travel between the United States and Cuba.

S. 456

At the request of Mr. DODD, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 462, a bill to amend the Lacey Act Amendments of 1981 to prohibit the importation, exportation, transportation, and sale, receipt, acquisition, or purchase in interstate or foreign commerce, of any live animal of any prohibited wildlife species, and for other purposes.

S. 468

At the request of Ms. STABENOW, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 468, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 476

At the request of Mrs. BOXER, the names of the Senator from Illinois (Mr. BURRIS), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 476, a bill to amend title 10, United States Code, to reduce the minimum distance of travel necessary for reimbursement of covered beneficiaries of the military health care system for travel for specialty health care.

S. 491

At the request of Mr. WEBB, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal ci- volian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 535, a bill to extend the Title 10, United States Code, to require reimbursement of survivors of certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation and dependency compensation under the Survivor Benefit Plan for veterans’ dependency and indemnity compensation, and for other purposes.

S. 538

At the request of Mrs. LINCOLN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 538, a bill to increase the recruitment and retention of school counselors, school social workers, and school psychologists by low-income local educational agencies.

S. 546

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. DODD) 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 and dependency compensation from the Department of Veterans Affairs for their disability and either residual or other postservice years of military service in Combat-Related Special Compensation.

S. 555

At the request of Mr. DURBIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 555, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 567

At the request of Mr. CRAPO, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 567, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates.

S. 581

At the request of Mr. BENNET, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 581, a bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to require the exclusion of combat pay from income for purposes of determining eligibility for child nutrition programs and the special supplemental nutrition program for women, infants, and children.

S. 590

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms.
At the request of Mrs. Murra, the names of the Senator from Illinois (Mr. Durbin) and the Senator from Alaska (Mr. Begich) were added as cosponsors of S. 597, a bill to amend title 38, United States Code, to expand and improve health care services available to women veterans, especially those serving in operation Iraqi Freedom and Operation Enduring Freedom, from the Department of Veterans Affairs, and for other purposes.

At the request of Mrs. Huttson, the names of the Senator from Florida (Mr. Nelson) and the Senator from Georgia (Mr. Isakson) were added as cosponsors of S. 614, a bill to award a Congressional Gold Medal to the Women Airforce Service Pilots ("WASP").

At the request of Mr. Harkin, the names of the Senator from New Jersey (Mr. Menendez), the Senator from Indiana (Mr. Bayh), the Senator from Ohio (Mr. Brown), the Senator from Hawaii (Mr. Akaka) and the Senator from Wisconsin (Mr. Kohl) were added as cosponsors of S. 634, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for public education.

At the request of Mrs. Lincoln, the names of the Senator from Georgia (Mr. Isakson) and the Senator from West Virginia (Mr. Byrd) were added as cosponsors of S. 645, a bill to amend title 32, United States Code, to modify the Department of Defense share of expenses under the National Guard Youth Challenge Program.

At the request of Mr. Conrad, the names of the Senator from Washington (Mrs. Murray), the Senator from New Mexico (Mr. Bingaman) were added as cosponsors of S. 662, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

At the request of Mr. Harkin, the name of the Senator from Michigan (Ms. Stabenow) was added as a cosponsor of S. 693, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine.

At the request of Mr. Baucus, the name of the Senator from Ohio (Mr. Brown) was added as a cosponsor of S. 711, a bill to require mental health screenings of members of the Armed Forces who are deployed in connection with a contingency operation, and for other purposes.

At the request of Mr. Webb, the names of the Senator from Montana (Mr. Tester) and the Senator from Delaware (Mr. Carper) were added as cosponsors of S. 714, a bill to establish the National Criminal Justice Commission.

At the request of Mr. Harkin, the name of the Senator from Rhode Island (Mr. Whitehouse) was added as a cosponsor of S. 718, a bill to amend the Legal Services Corporation Act to meet special needs of underserved clients, provide for technology grants, improve corporate practices of the Legal Services Corporation, and for other purposes.

At the request of Ms. Landrieu, the names of the Senator from Illinois (Mr. Durbin) and the Senator from Massachusetts (Mr. Kennedy) were added as cosponsors of S. 727, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

At the request of Mr. Cochran, the names of the Senator from Vermont (Mr. Sanders), the Senator from Florida (Mr. Martinez) and the Senator from Maine (Ms. Collins) were added as cosponsors of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

At the request of Mr. Bond, the name of the Senator from Maine (Ms. Collins) was added as a cosponsor of S. 772, a bill to enhance benefits for survivors of certain former members of the Armed Forces with a history of post-traumatic stress disorder or traumatic brain injury, to enhance availability and access to mental health counseling for members of the Armed Forces and veterans, and for other purposes.

At the request of Mr. Voinovich, the name of the Senator from Nebraska (Mr. Johanns) was added as a cosponsor of S. 775, a bill to amend title 10, United States Code, to authorize the availability of appropriated funds for international partnership contact activities conducted by the National Guard, and for other purposes.

At the request of Mr. Roberts, the name of the Senator from Oklahoma (Mr. Inhofe) was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

At the request of Mr. Bingaman, the name of the Senator from Indiana (Mr. Lugar) was added as a cosponsor of S. 790, a bill to improve access to health care services in rural, frontier, and urban underserved areas in the United States by addressing the supply of health professionals and the distribution of health professionals to areas of need.

At the request of Mr. Johnson, the names of the Senator from Alaska (Ms. Murkowski) and the Senator from Montana (Mr. Tester) were added as cosponsors of S. 802, a bill to amend the Internal Revenue Code of 1986 to allow Indian tribes to transfer the credit for electricity produced from renewable resources.

At the request of Mr. Casey, the name of the Senator from Florida (Mr. Martinez) was added as a cosponsor of S. 809, a bill to establish a program to provide tuition assistance to individuals who have lost their jobs as a result of the economic downturn.

At the request of Mr. Crapo, the name of the Senator from North Carolina (Mr. Burr) was added as a cosponsor of S. 816, a bill to preserve the rights granted under second amendment to the Constitution in national parks and national wildlife refuge areas.

At the request of Mr. Bingaman, the name of the Senator from Minnesota (Ms. Klobuchar) was added as a cosponsor of S. 818, a bill to reauthorize the Enhancing Education Through Technology Act of 2001, and for other purposes.

At the request of Mr. Nelson of Florida, the name of the Senator from North Carolina (Mr. Burr) was added as a cosponsor of S. 832, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

At the request of Mr. Levin, the name of the Senator from Wisconsin (Mr. Feingold) was added as a cosponsor of S. Res. 84, a resolution urging the Government of Canada to end the commercial seal hunt.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. Lugar:

S. 838. A bill to provide for the appointment of United States Science Envoys; to the Committee on Foreign Relations.

Mr. Lugar. Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

I believe no objection, the text of the bill was ordered to be placed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. FINDINGS.

Congress finds the following:

(1) The United States is the world’s leader in scientific research and discovery.

(2) The United States has produced more Nobel Laureates than any other nation, including—

(A) 90 of the 192 Nobel Laureates in Medicine;

(B) 81 of the 183 Nobel Laureates in Physics;

(C) 43 of the 62 Nobel Laureates in Economics; and

(D) 59 of the 153 Nobel Laureates in Chemistry.

(3) Consistent polling and scholarly research has shown that—

(A) the nations of the world seek a relationship with the United States that is based on mutual respect; and

(B) many of these nations, even nations that disagree with some aspects of United States foreign policy, admire the United States for its leadership in science and technology.

(4) Science and technology provide an external reference around which nations can converge. Science and technology have transcended the sphere of cooperation and mutual respect based upon the recognition that advances in science and technology are universally beneficial.

(5) International scientific cooperation enhances relationships among participating countries by building trust and increasing understanding between countries and cultures.

(6) The United States’ commitment to technological advance—

(A) displays our Nation’s commitment to improving lives throughout the world;

(B) mitigates some political controversy; and

(C) offers other countries a tangible incentive to cooperate with the United States to improve the health and well-being of their citizens.

(7) Short-term visits from renowned and respected American scientists can dramatically affect the standing of the United States among foreign countries.

(8) International scientific cooperation—

(A) produced successful engagements between United States and Soviet scientists throughout the 1970s and 1980s; and

(B) United States outreach efforts with the People’s Republic of China before official diplomatic ties were fully established.

(9) Various nongovernmental organizations in the United States have been engaged in international scientific cooperation programs. These organizations include the American Association for the Advancement of Science, the Richard Lounsbury Foundation, and many major United States academic institutions.

SEC. 2. EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

(a) IN GENERAL.—Under the authority, direction, and control of the President, the Secretary of State, in accordance with the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), may increase the number of educational and cultural exchange activities involving persons from scientific, medicine, research, and academic sectors by—

(1) establishing new programs under that Act; and

(2) expanding the coverage of existing programs under that Act.

(b) UNITED STATES SCIENCE ENVOYS.—The Secretary of State shall appoint United States Science Envoys to represent the commitment of the United States to collaborate with other countries to promote the advancement of science and technology throughout the world based on issues of common interest and expertise.

By Mr. CASEY (for himself, Mr. KENNEDY, Mr. SANDERS, and Mr. BEGICH):

S. 839. A bill to assist States in making voluntary high quality universal prekindergarten programs available to 3- to 5-year olds for at least 1 year preceding kindergarten; to the Committee on Health, Education, Labor, and Pensions.

Mr. CASEY. Mr. President, I rise today to speak about the well-being of our children, both now, today, and also into the future. That is why today I am reintroducing my bill, the Prepare All Kids Act, along with Senator KAUFMAN of Delaware and Senator WHITEHOUSE of Rhode Island.

I believe—and I know this is a belief shared by many people in our country—every child in America is born with a light inside and it is our responsibility to keep that light burning ever bright. This bill will help States to provide at least 1 year of voluntary prekindergarten education to children between the ages of 3 and 5. The Prepare All Kids Act will provide funding for important programs that serve the needs of children from birth to age 3, a most critical time in the development of children.

The research is irrefutable. Investing in children in their earliest years greatly improves their life outcomes, and conservative estimates put the savings to our economy at about $7 for every $1 we invest. So this is about two things: It is certainly about our obligation, our abiding obligation to our children, but it is also about our economy, the obligation to our economy that we have to develop skilled workers to compete in a world economy.

There is no question that for some of the most disadvantaged there is an achievement gap between them and their more privileged peers that sometimes never closes. One study shows that before entering kindergarten, the average cognitive scores of preschool-age children in the highest socioeconomic group were 60 percent above the average scores of children in the lowest socioeconomic group. I believe investing in children is the right thing to do, and it is the smart thing to do. Sometimes the oldest sayings are the truest because years of scientific research on early childhood programs has proven without a doubt that an ounce of prevention is indeed worth a pound of cure—certainly when it comes to investing in our children.

Earlier this year I was proud to advocate for investments in our children in this year’s recovery bill and proud still when those investments remained intact with passage. Programs such as Early Head Start, Head Start, and childcare programs are receiving desperately needed funds right now, as working parents all across the country struggle to maintain jobs, keep their homes, and ensure their children are well cared for while they take care of their responsibilities. It is critical that working families can depend upon these investments in the years to come.

The President, the administration of Barack Obama, has presented an important budget blueprint for further recognizing the wisdom of investing in our children. In addition to the recovery bill investments, the President’s Zero to Five initiative highlights the importance of investing in children during the critical period of time between birth and age 5: investments in early learning, nurse home visitation, and creating neighborhoods in which low-income and disadvantaged children can receive the help and assistance they need to succeed in life.

I want to emphasize very clearly today as it relates to the bigger picture of giving children what they need in the early years, my bill, the Prepare All Kids Act, focuses on prekindergarten programs but it also concerns programs that serve infants and toddlers. It is also about investing in and preparing all kids—not just some but all—who are about to enter kindergarten. It is absolutely imperative that we don’t see these programs in pieces, in silos as we begin to focus on the kinds of investments our children need. We cannot allow that to be “siloed” that way, not childcare versus Head Start versus prekindergarten. These programs should not have to compete with one another, and in my bill I make sure they don’t.

We also have to remember that investing in children cannot suddenly begin when they are 3 or 4 years old. It must begin from the earliest days of a child’s life, literally beginning before they are born. The Obama administration, in outlining its vision of early childhood, shows a wise commitment to streamlining and coordinating a system of early childhood programs and investments. I could not agree more with the need for such streamlining.

We are also fortunate indeed to have Secretary Duncan and, hopefully very soon, the confirmation of Governor Sebelius as Secretary of Health and Human Services—both of whom really get it, as the President said to a joint session in speaking of another part of our priorities in terms of getting it, understanding what we have to do. When it comes to the continuum of early childhood development and education, both of these officials, as well as the President and Vice President and their team, all get this, and they understand it. That is why they have made Zero to Five such a high priority.

Let me turn to an economic summary of the Prepare All Kids Act. First of all, in this bill we assist States in providing at least 1 year of high-quality prekindergarten education to children. Under my bill, prekindergarten programs must adhere to high-quality standards. That includes a research-based curriculum that supports children’s cognitive, social, emotional, and
physical development and individual learning styles. Experts tell us that at the preschool stage, social and emotional learning can be as important and perhaps even more important than cognitive learning. That is where early socialization takes place—learning to share, work independently, and express feelings. All these are critical to successful childhood development.

Classrooms in our bill will have a maximum of 20 children and children-to-teacher ratios will be no more than 1 to 1. Children need individualized and quality attention to thrive, and these requirements provide that. The bill helps States that want to expand pre-K programs to full-day programs as well as extend their programs year round. This supports both children and working parents who need high-quality programs for their children during the school year and in the summer.

Prekindergarten teachers will be required to have a bachelor’s degree at the time they are employed, but we give them sufficient time, 6 years, in order to get it. We also allow States to use funds for professional development for teachers. But we want highly qualified and committed teachers in our pre-K programs.

States must create a monitoring plan that will appropriately measure individual program effectiveness. And, one more point: infant and toddler programs will have a significant portion of the funding—15 percent. These programs typically receive the lowest dollars of all early childhood programs, making it difficult for parents, many of them single moms, to find quality childcare for the youngest of our children.

We have to recognize in this bill and other places as well the critical role of parents in the education of their young children by strongly encouraging parental involvement in programs and assisting families in getting the supportive services they may need.

Children come in families. To truly help children, we have to involve and support their parents. We have to involve the whole family. More important, children cannot succeed without the active involvement of their parents. I believe we have an obligation to our children and to our future workforce.

Compared to children who attend high-quality preschool, those who do not attend such programs are five times more likely to be chronic lawbreakers as adults and more likely to abuse illegal drugs. Children who attend high-quality preschool are more successful in school, more likely to graduate from high school, and thus more likely to become productive adults who contribute to the U.S. economy.

But for anyone who needs additional reasons, decades of research on life outcomes of children who have attended early childhood programs proves the wisdom of this investment. Conserv-
to pay for the Federal share of the cost of awarding subgrants to qualified prekindergarten providers to establish, expand, or enhance voluntary high quality full-day prekindergarten programs under this part.

(c) MINIMUM ALLOTMENT.—No State shall receive a grant allotment under subsection (b) for a fiscal year that is less than one-half of 1 percent of the total amount available under this part.

SEC. 1844. STATE APPLICATIONS AND REQUIREMENTS.

(a) Designated State Agency.—To be eligible to receive a grant under this part, a State shall designate a State agency to administer the State program of assistance for prekindergarten programs funded under this part, to include, but not be limited to, the establishment and coordination of the State advisory council on early childhood education and care.

(b) State Application.—In order for a State to be eligible to receive a grant under this part, the designated State agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including—

(1) an assurance that the State will award subgrants to providers of prekindergarten programs that are sufficient to provide a high quality prekindergarten experience;

(2) an assurance that not less than 25 percent of the qualified prekindergarten programs receiving such subgrants will provide services to children of the culture, language, and ages of the children served, including children with disabilities, whose native language is not English, or with other special needs, children in the State foster care system, and homeless children;

(3) a description of how the State will ensure that the subgrants are awarded to a wide range of types of qualified prekindergarten providers;

(4) a description of how the designated State agency will collaborate and coordinate activities with the State Advisory Council on Early Childhood Education and Care, State-funded providers of prekindergarten programs, programs of the Federal department and agency that meet the standards of high quality early education, and use funds appropriately;

(5) a description of how the State will meet the needs of the most disadvantaged students, including families at or below 200 percent of the poverty line;

(6) a description of how the State will meet the needs of working parents; and

(7) a description of how the State will assist in providing professional development assistance to prekindergarten teachers and teacher aides.

(c) Federal Share.—The Federal share of the cost described in section 1843(b) shall be 50 percent. The State shall provide the non-Federal share of the cost in cash.

(d) Supplementary Federal Funding.—Funds made available under this part may be used only to supplement and not supplant other Federal, State, local, or private funds that would, in the absence of the funds made available under this part, be made available for early childhood programs.

(e) Maintenance of Effort.—A State that receives a grant under this part for a fiscal year shall maintain the expenditures of the State for early childhood programs at a level not less than the level of such expenditures in the fiscal year preceding that fiscal year.

SEC. 1845. STATE SET ASIDES AND EXPENDITURES.

(a) Infant and Toddler Set Aside.—Notwithstanding section 1843, a State shall set aside not less than 15 percent of the funds made available through a grant awarded under this part for the purpose of funding high quality infant and toddler development programs for children who are ages 0 through 3. Funds made available under this subpart may be used for professional development for teachers and teacher aides in classrooms for children who are ages 0 through 3.

(b) Extended Day and Extended Year Set Aside.—Notwithstanding section 1843, a State shall set aside not less than 10 percent of the funds made available through a grant awarded under this part to extend the hours of early childhood programs to create extended day and extended year programs.

(c) Administrative Expenses.—Not more than 5 percent of the funds made available through such a grant may be used for administrative expenses, including monitoring.

SEC. 1846. LOCAL APPLICATIONS.

(a) To be eligible to receive a subgrant under this part, a qualified prekindergarten provider shall submit an application to the designated State agency at such time, in such manner, and containing such information as the agency may reasonably require, including—

(1) a description of how the qualified prekindergarten provider will meet the diverse needs of children in the community to be served, including children with disabilities, whose native language is not English, or with other special needs, children in the State foster care system, and homeless children;

(2) a description of how the qualified prekindergarten provider will serve eligible children who are not served through similar programs or services;

(3) a description of a plan for actively involving parents and families in the prekindergarten program and the success of their children in the program;

(4) a description of how children in the prekindergarten program, and their parents and families, will receive referrals to, or assistance with, accessing supportive services provided within the community;

(5) a description of how the qualified prekindergarten provider collaborates with the State; local educational agencies; State-funded providers of prekindergarten programs; Head Start agencies; local educational agencies; and child care agencies, to meet the needs of children, families, and working families, as appropriate; and

(6) a description of how the qualified prekindergarten provider will collaborate with local educational agencies to ensure a smooth transition for participating students from the prekindergarten program to kindergarten and early elementary education.

SEC. 1847. LOCAL PREKINDERGARTEN PROGRAM REQUIREMENTS.

(a) Mandatory Uses of Funds.—A qualified prekindergarten provider that receives a subgrant under this part shall use funds received through the grant to establish, expand, and improve full-day prekindergarten programs for children who are ages 3 through 5, including—

(1) providing a prekindergarten program that develops children’s cognitive, social, emotional, and physical development and approaches to learning, and helps prepare children for a successful transition to kindergarten; and

(2) purchasing educational equipment, including educational materials, necessary to provide a high quality prekindergarten program.

(b) Permissible Use of Funds.—A qualified prekindergarten provider that receives a subgrant under this part may use funds received through the grant to—

(1) extend part-day prekindergarten programs to full-day prekindergarten programs and year-round programs;

(2) pay for transporting students to and from a prekindergarten program; and

(3) provide professional development assistance to prekindergarten teachers and teacher aides.

(c) Program Requirements.—A qualified prekindergarten program that receives a subgrant under this part shall carry out a high quality prekindergarten program by—

(1) maintaining a maximum class size of 20 children, with at least 1 prekindergarten teacher per classroom;

(2) ensuring that the ratio of children to prekindergarten teachers and teacher aides shall not exceed 10 to 1;

(3) utilizing a prekindergarten curriculum that is research- and evidence-based, developmentally appropriate, and designed to support children’s cognitive, social, emotional, and physical development, and approaches to learning; and

(4) ensuring that prekindergarten teachers meet the requirements of this part.

SEC. 1848. REPORTING.

(a) Qualified Prekindergarten Provider Reports.—Each qualified prekindergarten provider that receives a subgrant under this part shall submit an annual report, to the designated State agency, that reviews the effectiveness of the prekindergarten program provided. Such annual report shall include—

(1) data specifying the number and ages of enrolled children, and the family income, race, gender, disability, and native language of such children;

(2) a description of—

(A) the curriculum used by the program;

(B) how the curriculum supports children’s cognitive, social, emotional, and physical development and approaches to learning; and

(C) the curriculum is appropriate for children of the culture, language, and ages of the children served; and

(3) a statement of all sources of funding received through the grant, including Federal, State, local, and private funds.

(b) State Reports.—Each State that receives a grant under this part shall submit an annual report to the Secretary detailing the effectiveness of all prekindergarten programs funded under this part in the State.

(c) Report to Congress.—The Secretary shall submit an annual report to Congress that describes the State programs of assistance for prekindergarten programs funded under this part.

SEC. 1849. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2010 through 2014.

SEC. 3. CONFORMING AMENDMENTS.

(a) Table of Contents.—The table of contents—

(1) in the title of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking the item relating to part I of title I and inserting the following:

"PART J—GENERAL PROVISIONS;"

and

(2) by inserting after the items relating to part J of title I and inserting the following:

"PART I—HIGH QUALITY FULL-DAY PREKINDERGARTEN PROGRAMS;

"Sec. 181. Findings."
By Mr. LAUTENBERG (for himself and Mr. SPECTER):—
S. 841. A bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of altering blind and other pedestrians of motor vehicle operation; to the Committee on Commerce, Science, and Transportation.

Mr. KERRY, Mr. President, today I am introducing the Pedestrian Safety Enhancement Act of 2009 with Senator WHITEHOUSE, Mr. SCHUMER, Mr. KERRY, Mr. KENNEDY, Mr. DURBIN, Mr. LEVIN, Mrs. FEINSTEIN, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. MENENDEZ.

S. 843. A bill to establish background check procedures for gun shows; to the Committee on the Judiciary.

Mr. LAUTENBERG, Mr. President, I rise because today marks 10 years since the shootings at Columbine High School in Littleton, CO, and on this 10th anniversary, we need to speak about the problems with our Nation’s gun laws.

Whether it is Columbine, Virginia Tech, Mexican gun trafficking or the recent killings in Pittsburgh, Birmingham, and Oakland we are reminded over and over again that our gun laws are not strong enough. And it is time we said—not another day.

Not another day should we allow the gun show loophole to stand.

Not another day should we allow gun dealers to sell firearms without conducting a background check.

Not another day should we allow terrorists, criminals, gun traffickers and the mentally ill to buy firearms.

It is as easy for criminals to buy guns—easier, in fact, than it is to get a library card.

What happened at Columbine High School 10 years ago was a tragedy none of us can forget.

Two shooters went on a rampage and killed 12 students and 1 teacher.

But here is what a lot of people do not realize: all of the firearms used by the shooters were bought at gun shows.

That means, because of the gun show loophole, the guns bought without a background check, and they were bought “cash and carry,” no questions asked.

Those 13 people never should have died because those teenagers never should have had those guns.

Just think: the young woman who bought the guns for the shooters said she wouldn’t have done it had a background check been required.

In 1999, I introduced legislation to close the gun show loophole and keep guns from falling into the wrong hands.

In the aftermath of Columbine, the Senate passed my legislation, with Vice President Al Gore casting the tie-breaking vote.

It was a great victory, but it was short lived. The gun lobby stripped my legislation in conference.

Ten years later, this gap in our law still remains.

We were reminded of that last Thursday when we marked the second anniversary of the Virginia Tech shootings.

In that tragedy, a mentally deranged man killed 32 students and faculty in the worst mass shooting in American history.

The Virginia Tech shooter was able to obtain his guns from licensed gun dealers because the records of his mental illness were not in the background check database they were supposed to be. But if a background check stopped him from buying his guns from a gun dealer, he could have walked to a gun show and purchased the guns with no background check.

Yesterday marked the 14th anniversary of the Oklahoma City Bombing—the Nation’s worst domestic terrorist attack.

The men responsible for that despicable act frequently bought and sold firearms at gun shows.

Gun trafficking to Mexico is another reminder of the dangers of the gun show loophole.

We know that as many as 30 percent of the firearms traveling across our border into Mexico originate from gun shows.

We have an opportunity to save lives—and that is why I am reintroducing legislation today to close the gun show loophole once and for all.

Closing the gun show loophole will not adversely affect licensed gun sellers and it will not place a burden on law-abiding gun owners.

It simply ends a dangerous, unnecessary exemption so that the Brady Law is applied equally.

But that difference—the difference between buying a gun with a background check and not—is everything.

It is the difference between saving lives and putting more at risk, between keeping guns out of the wrong hands and letting terrorists and others have easy access to guns, and the difference between upholding the rule of law or allowing loopholes to undermine it.

Specifically, my legislation would take several steps to make gun show transactions safer for all Americans: gun shows are defined to include any event at which 50 or more firearms are offered or exhibited for sale. This definition includes not only events where firearms are the main commodity sold, but also other events where a significant number of guns are sold, such as flea markets or swap meets.

Gun show promoters would be required to register with the Bureau of Alcohol, Tobacco, and Firearms, ATF, maintain a list of vendors at all gun shows, and ensure that all vendors acknowledge receipt of information about their legal obligations.

The bill requires that all firearms sales at gun shows go through a Federal Firearms Licensee, FFL. If a nonlicensed person is selling a weapon, they would use an FFL at the gun show to complete the transaction. The FFL would be responsible for conducting a Brady check on the purchaser and maintaining records of the transaction.

FFLs would be required to submit information including the manufacturer, importer, model, and serial number of firearms transferred at gun shows to the ATF’s National Tracing Center, NTC. However, no personal information about either the seller or the purchaser would be given to the ATF. Instead, as under current law, the FFLs would be given to the ATF. Instead, as under current law, the FFLs would be required to keep this information in their files. The NTC would request this personal information from an FFL only in the event that a firearm subsequently becomes the subject of a law enforcement trace request.

Ten years ago we lost 12 students and a teacher to gun violence in Littleton, CO. One of the best ways to honor those we lost and those who have suffered is
to make sure a tragedy like Columbine never happens again.

We owe that—and nothing less—to the young people who died 10 years ago and the young people who count on us today.

By Mr. DURBIN (for himself, Mr. BENNETT, Mr. KERRY, Mr. CASEY, Ms. SNOWE, Mrs. MURRAY, Mr. WHITEHOUSE, Ms. MURKOWSKI, Mr. RINGAMAN, Mr. FEINGOLD, Mr. ENZI, and Mr. PYHOR).

§ 846. A bill to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. 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 placed in the RECORD, as follows:

§ 846

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds that—

(1) Dr. Muhammad Yunus is recognized in the United States and throughout the world as a leading figure in the fight against poverty and the effort to promote economic and social change;

(2) Muhammad Yunus is the recognized developer of the concept of microcredit, and Grameen Bank, which he founded, has created a model of lending that has been emulated around the world;

(3) Muhammad Yunus launched this global movement to create economic and social development from below, beginning in 1976, with a loan of $27 from his own pocket to 42 crafts persons in a small village in Bangladesh;

(4) Muhammad Yunus has demonstrated the life-changing potential of extending very small loans (at competitive interest rates) to the very poor and the economic feasibility of microcredit and other microfinance and microentrepreneurship practices; and

(5) Dr. Yunus’s work has had a particularly strong impact on improving the economic prospects of women, and on their families, as over 95 percent of microcredit borrowers are women;

(6) Dr. Yunus has pioneered a movement with the potential to assist a significant number of the estimated 1,000,000,000 people, mostly women and children, who live on less than $1.25 a day, and the 2,600,000,000 people who live on less than $2 a day, and which has already reached 350,000,000, by one estimate; and

(7) there are now an estimated 24,000 microenterprises in the United States accounting for approximately 16 percent of private (nonfarm) employment and 87 percent of all business in the United States, and the Small Business Administration has made over $318,000,000 in microloans to entrepreneurs since 1983.

(8) Dr. Yunus, along with the Grameen Bank, was awarded the Nobel Peace Prize in 2006 for his efforts to promote economic and social opportunities and out of recognition that lasting peace cannot be achieved unless large population groups find the means, such as microcredit, to break out of poverty; and

(9) these credit ideas developed and put into practice by Muhammad Yunus, along with other bold initiatives, can make a historical breakthrough in the fight against poverty.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to Dr. Muhammad Yunus, in recognition of his many enduring contributions to the fight against global poverty.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2, under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

SEC. 5. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORIZATION TO USE FUND AMOUNTS.—There are authorized to be charged against the United States Mint Public Enterprise Fund, such amounts as may be necessary to pay for the cost of the medals struck pursuant to this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 3 shall be deposited into the United States Mint Public Enterprise Fund.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 106—CELEBRATING THE OUTSTANDING ATHLETIC ACCOMPLISHMENTS OF THE UNIVERSITY OF FINDLAY MEN’S BASKETBALL TEAM FOR WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP

Mr. BROWN (for himself, and Mr. VOINOVICH) submitted the following resolution; which was considered and agreed to:

S. RES. 106

Whereas on March 28, 2009, the University of Findlay men’s basketball team, known as the Oilers, won the National Collegiate Athletic Association (NCAA) Division I Women’s Basketball Tournament in St. Louis, Missouri; and

Whereas the Oilers were undefeated in the 2009 season, with a record of 39-0, and boasted each opposing team by at least double digits; and

Whereas the Oilers have won 6 national titles, the second most in the history of NCAA Division I women’s basketball; and

Whereas sophomore forward Maya Moore was chosen as the Naismith Award winner, the Wooden Award winner, the State Farm Player of the Year, the Associated Press Player of the Year, the Associated Press Player of the Year; and

Whereas senior point guard Renee Montgomery was chosen as the Women’s Final Four Most Valuable Player; and

Whereas head coach Geno Auriemma was chosen as the Associated Press Coach of the Year; and

Whereas the University of Connecticut women’s basketball program has a 190 percent graduation rate among 4-year players, exemplifying the commitment of the team to achievement in the classroom as well as on the court; and

WHEREAS each player, coach, and contributor to the team remained committed to ensuring the Oilers achieved this historic accomplishment; and

WHEREAS all supporters of the University of Findlay are to be praised for their dedication to, and pride in, the university’s basketball program: Now, therefore, be it Resolved, That the Senate—

(1) congratulates the University of Findlay men’s basketball team for achieving their second ever Division II National Championship; and

(2) recognizes the University of Findlay athletic program for its accomplishments in both sports and academics.

SENATE RESOLUTION 107—COMMENDING THE UNIVERSITY OF CONNECTICUT HUSKIES FOR THEIR HISTORIC WIN IN THE 2009 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN’S BASKETBALL TOURNAMENT

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

S. Res. 107

Whereas on April 7, 2009, the University of Connecticut Huskies defeated the University of Louisville Cardinals 76 to 54 in the final game of the National Collegiate Athletic Association (NCAA) Division I Women’s Basketball Tournament in St. Louis, Missouri; and

Whereas the Huskies were undefeated in the 2009 season, with a record of 39-0, and bested each opposing team by at least double digits; and

Whereas the Huskies have won 6 national titles, the second most in the history of NCAA Division I women’s basketball; and

Whereas sophomore forward Maya Moore was chosen as the Naismith Award winner, the Wooden Award winner, the State Farm Player of the Year, the Associated Press Player of the Year, the Associated Press Player of the Year; and

Whereas senior point guard Renee Montgomery was chosen as the Women’s Final Four Most Valuable Player; and

Whereas head coach Geno Auriemma was chosen as the Associated Press Coach of the Year; and

Whereas the University of Connecticut women’s basketball program has a 190 percent graduation rate among 4-year players, exemplifying the commitment of the team to achievement in the classroom as well as on the court; and

WHEREAS each player, coach, and athletic trainer, and staff member of the University of
Connecticut Huskies dedicated their time and tireless efforts to the perfect record of the team and the NCAA women’s basketball championship title.

Whereas the legs of Connecticut and Huskies fans worldwide are to be commended for their longstanding support, perseverance, and pride in the University of Connecticut Huskies; Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Connecticut Huskies for their historic win in the 2009 NCAA Women’s College Basketball Final Four and their subsequent championship win; and

(2) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the President of the University of Connecticut, Michael Hogan, and the head coach of the University of Connecticut Huskies, Geno Auriemma.

AMENDMENTS SUBMITTED AND PROPOSED
SA 981. Mr. THUNE submitted an amendment proposed by him to the bill S. 371, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State; which was referred to the Committee on the Judiciary.

TEXT OF AMENDMENTS
SA 981. Mr. THUNE submitted an amendment proposed by him to the bill S. 371, to amend chapter 44 of title 18, United States Code, to allow citizens who have concealed carry permits from the State in which they reside to carry concealed firearms in another State that grants concealed carry permits, if the individual complies with the laws of the State; which was referred to the Committee on the Judiciary, as follows:

Strike all after the enacting clause and insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the “Respecting States Rights and Concealed Carry Reciprocity Act of 2009”.

SEC. 2. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.

(a) In General.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

"926D. Reciprocity for the carrying of certain concealed firearms."

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

NOTICE OF HEARING
COMMITTEE ON ENERGY AND NATURAL RESOURCES
Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, April 28th, at 10 a.m., in room SD-366 of the Dirksen Senate office building.

The purpose of the hearing is to receive testimony regarding legislation to improve the availability of financing for deployment of clean energy and energy efficiency technologies and to enhance United States’ competitiveness in this market through the creation of a Clean Energy Deployment Administration within the Department of Energy. A joint discussion draft of the bill is posted on the Committee’s website.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the record should send it to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510-6150, or by e-mail to rachel.pasternack@energy.senate.gov.

For further information, please contact Rachel Pasternack at (202) 224-0883 or Michael Carr at (202) 224-8164.

AUTHORITY FOR COMMITTEES TO MEET
AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT
Mr. DODD. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, April 21, 2009, at 10:30 a.m. to conduct a hearing entitled “Counternarcotics Enforcement: Coordination at the Federal, State, and Local Level.”

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Tuesday, April 21, 2009, at 2:30 p.m., in room 253 of the Russell Senate office building.

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

COMMITTEE ON FOREIGN RELATIONS
Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 21, 2009, at 10 a.m. in room 216 of the Hart Senate office building.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS
Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled “Empowering Workers to Rebuild America’s Economy and Long-Term Competitiveness: Green Skills Training for Workers” on Tuesday, April 21, 2009. The hearing will commence at 10:30 a.m. in room 430 of the Dirksen Senate office building.

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

SELECT COMMITTEE ON INTELLIGENCE
Mr. DODD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, April 21, 2009, at 2:30 p.m.

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

SUBCOMMITTEE ON TERRORISM AND HOMELAND SECURITY
Mr. DODD. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism and Homeland Security be authorized to meet during the session of the Senate, to conduct a hearing entitled “Protecting National Security and Civil Liberties: Strategies for Counterterrorism Policy” on Tuesday, April 21, 2009, at 2:30 p.m., in room SD-226 of the Dirksen Senate office building.
The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. KERRY. Mr. President, I ask unanimous consent that Andrew Keller, who is detailed to the Foreign Relations Committee from the State Department, be granted privileges of the floor for the duration of the debate on the Christopher Hill nomination.

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

Mr. MENENDEZ. Mr. President, I ask unanimous consent that Craig Bryant, a fellow in my office, be granted the privilege of the floor for the remainder of the day.

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

PUBLIC SERVICE RECOGNITION WEEK

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 48, S. Res. 87.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 87) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 4 through 10, 2009.

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

Ms. KLOBUCHAR. Madam 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 related thereto be printed in the RECORD.

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

The resolution (S. Res. 87) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

(1) congratulates the University of Findlay men’s basketball team for achieving their Division II National Championship; and
(2) salutes government employees for their outstanding contributions to this great Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—
(1) defend our freedom and advance United States interests around the world;
(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;
(3) fight crime and fires;
(4) ensure equal access to secure, efficient, and affordable mail service;
(5) deliver Social Security and Medicare benefits;
(6) fight disease and promote better health;
(7) protect the environment and the Nation’s parks;
(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;
(9) defend and secure critical infrastructure;
(10) help the Nation recover from natural disasters and terrorist attacks;
(11) teach and work in our schools and libraries;
(12) develop new technologies and explore the earth, moon, and space to help improve our understanding of how our world changes;
(13) improve and secure our transportation systems;
(14) promote economic growth; and
(15) assist active duty service members and veterans;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America’s interests and promote American ideals;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who work at the university’s facilities, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the Nation and the world;

Whereas public servants have bravely fought in armed conflict in defense of this Nation and its ideals and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 4 through 10, 2009, has been designated Public Service Recognition Week to honor America’s Federal, State, and local government employees; and

Whereas Public Service Recognition Week is celebrating its 25th anniversary through job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—
(1) commends public servants for their outstanding contributions to this great Nation during Public Service Recognition Week and throughout the year;
(2) salutes government employees for their unyielding dedication and spirit for public service;
(3) honors those government employees who have given their lives in service to their country;
(4) calls upon all generations to consider a career in public service; and
(5) encourages efforts to promote public service careers at all levels of government.

CELEBRATING ACCOMPLISHMENTS OF THE UNIVERSITY OF FINDLAY MEN’S BASKETBALL TEAM

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 106 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 106) celebrating the outstanding athletic accomplishments of the University of Findlay men’s basketball team for winning the National Collegiate Athletic Association Division II Championship.

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

Ms. KLOBUCHAR. Madam 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 any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 106) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

(1) recognizes the University of Findlay as a great institution;
(2) recognizes the University of Findlay as a great and prosperous Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas all supporters of the University of Findlay men’s basketball team, known as the Oilers, won the National Collegiate Athletic Association (NCAA) Division II Championship, marking the first time in the history of the basketball program achieved this mark;

Whereas the Oilers’ undefeated record marks the first time a NCAA Division II basketball program has recorded 36 wins and 0 losses;

Whereas in winning the Division II National Championship, the Oilers have cemented their role as a symbol of pride for the past and present members of the University of Findlay community;

Whereas the Oilers have finished with a winning record for the past 24 seasons;

Whereas the University of Findlay athletic program strives to improve the academic quality of the university by fostering pride, unity, and academic scholarship to help its members contribute to their community in a significant manner;

Whereas each person, coach, and contributor to the team remained committed to ensuring the Oilers achieved this historic accomplishment; and

Whereas all supporters of the University of Findlay are to be praised for their dedication to, and pride in, the university’s basketball program: Now, therefore, be it

Resolved, That the Senate—
(1) congratulates the University of Findlay men’s basketball team for achieving their first ever Division II National Championship; and
(2) recognizes the University of Findlay athletic program for its accomplishments in both sports and academics.
Ms. KLOBUCHAR. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 107 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 107) commending the University of Connecticut Huskies for their historic win in the 2009 National Collegiate Athletic Association Division I Women's Basketball Tournament.

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

Mr. DODD. Madam President, I rise today with my colleague and friend, Senator LIEBERMAN, to congratulate the University of Connecticut Women's Basketball team for winning the 2009 NCAA Division I Women's Basketball Tournament. I know that I speak for the entire Connecticut Congressional Delegation when I say how proud I am to be able to stand here and acknowledge the accomplishments of this magnificent group of young women.

I have had the privilege of coming to the floor on numerous other occasions to applaud the Huskies for winning the NCAA Division I Tournament. In fact, this is the sixth time that the University of Connecticut Women's basketball team has won this championship, the second highest number of wins in all of women's Division I history.

As they did in 1995 and 2002, the Huskies went the entire 2009 season undefeated. In addition to this incredible achievement, this year’s team added another accomplishment that is truly unique in the history of the NCAA, as it has never before been achieved by any NCAA basketball team. Each and every one of their challengers by double digits. This tremendous accomplishment undoubtedly means that this year’s team is not only among the best to play at UCONN, but one of the best college teams ever.

Numerous factors contributed to the Huskies’ historic win, not the least of which is the steadfast dedication and well-honed skills of the individual players. Every player deserves special recognition for their work, and every one of them contributed to the success of the team. However, I firmly believe that the most important factor that led the UCONN women to victory this year is the character of each of the team’s players. Make no mistake about it, these young women are very dedicated, and have worked extremely hard to get to where they are now. However, their perseverance extends well beyond the basketball court. You may be interested to know that the UCONN women’s basketball program has a 100 percent graduation rate among 4-year players. This statistic is truly astounding given the amount of time each of these women must spend meticulously perfecting their skills on the court. Clearly, each of these women possesses an unquenchable desire to succeed in everything she attempts, a characteristic that makes the Huskies the team they are today.

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 any statement related to the resolution be printed in the RECORD.

S. Res. 107

Whereas on April 7, 2009, the University of Connecticut Huskies defeated the University of Louisville Cardinals 76 to 54 in the final game of the National Collegiate Athletic Association (NCAA) Division I Women's Basketball Tournament in St. Louis, Missouri; Whereas the Huskies were undefeated in the 2009 season, with a record of 39-0, and bested each opposing team by at least double digits; Whereas the Huskies have won 6 national titles, the second most in the history of NCAA Division I women's basketball; Whereas sophomore forward Maya Moore was chosen as the Naismith Award winner, the Wooden Award winner, the State Farm Wade Trophy winner, the United States Basketball Writers Association player of the year, and the Associated Press player of the year; Whereas senior point guard Renee Montgomery was chosen as the winner of the Nancy Lieberman award, which is given to the top point guard in the Nation; Whereas junior center Tina Charles was chosen as the Women's Final Four Most Valuable Player; Whereas sophomore forward Maya Moore was chosen as the Associated Press Coach of the Year; Whereas sophomore forward Maya Moore, senior point guard Renee Montgomery, and junior center Tina Charles were chosen as State Farm First Team All-Americans; Whereas sophomore forward Maya Moore, senior point guard Renee Montgomery, and junior center Tina Charles were chosen as members of the Final Four First All Tournament Team; Whereas Head Coach Geno Auriemma was chosen as the Associated Press Coach of the Year; Whereas the University of Connecticut women's basketball program has a 100 percent graduation rate among 4-year players, exemplifying the commitment of the team to achievement in the classroom as well as on the court; Whereas each player, coach, athletic trainer, and staff member of the University of Connecticut Huskies dedicated their time
and tireless efforts to the perfect record of the team and the NCAA women's basketball championship title; and

Whereas the residents of Connecticut and Huskies fans worldwide are to be commended for their longstanding support, perseverance, and pride in the University of Connecticut Huskies: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Connecticut Huskies for their historic win in the 2009 National Collegiate Athletic Association Division I Women's Basketball Tournament;

(2) recognizes the achievements of the players, coaches, students, and support staff who were instrumental in the Huskies' victory;

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution for appropriate display to the President of the University of Connecticut, Michael Hogan, and the head coach of the University of Connecticut Huskies, Geno Auriemma.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, in accordance with the qualifications specified under section 1532(3)(E) of Public Law 106-398, and upon the recommendation of the Republican leader, in consultation with the ranking members of the Senate Committee on Armed Services and the Senate Committee on Finance, appoints the following individuals to the United States-China Economic Security Review Commission: Dennis Shea, of Virginia, for a term expiring December 31, 2010, and Robin Cleveland, of Virginia, for a term expiring December 31, 2010, vice Mark Esper of Virginia.

UNANIMOUS CONSENT AGREEMENT—JOINT REFERRAL OF NOMINATION

Ms. KLOBUCHAR. Madam President, as if in executive session, I ask unanimous consent that the nomination of Francisco J. Sanchez, to be Under Secretary of Commerce for International Trade, received in the Senate on April 20, be referred to the Committees on Finance, Housing, and Urban Affairs.

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

ORDERS FOR WEDNESDAY, APRIL 22, 2009

Ms. KLOBUCHAR. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Wednesday, April 22, that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business for up to 30 minutes, with the time equally divided and controlled between the two leaders or their designees, with the Republicans control-

The first half and the majority controlling the final half; further, I ask that following morning business, the Senate proceed to the consideration of S. 386, the Fraud Enforcement and Recovery Act of 2009, as previously ordered.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. KLOBUCHAR. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:06 p.m., adjourned until Wednesday, April 22, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

JOHN W. HAHN IV, OF PENNSYLVANIA, TO BE SECRETARY OF AGRICULTURE, pursuant to section 226 of title 22, United States Code, for a term of four years, beginning May 1, 2009.

IN THE AIR FORCE

The following named officer for appointment to the grade indicated in the United States Air Force under title 10, U.S.C., section 690:

To be colonel

GEORGE E. LOUGHER

The following named officer for appointment to the grade indicated in the United States Air Force under title 10, U.S.C., section 690:

To be lieutenant colonel

RAYMOND B. ARABO

IN THE ARMY

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 1532:

To be major

IAN C. B. DIAZ

The following named officer for appointment to the grade indicated in the Regular Army under title 10, U.S.C., section 690:

To be major

WILLIAM T. HOUSTON

The following named officer for appointment to the grade indicated in the United States Army Medical Corps under title 10, U.S.C., section 690:

To be major

ERIN T. DOYLE

The following named officer for appointment to the grade indicated in the Regular Army under title 10, U.S.C., section 690:

To be major

SCOTT A. BIER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 206 AND 366:

To be major

BUSTER D. AKERS, JR.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY

To be colonel

GREGOR R. BERRY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMIES

To be colonel

MICHAELE.A. AMUNDSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMIES

To be colonel

JOHN W. HAHN IV

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY

To be major

JOHN W. HAHN IV
CONGRESSIONAL RECORD — SENATE

April 21, 2009

STEPHANIE L. MALMANGER
IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MICHAEL T. KOHOLS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

GREGORY P. MITCHELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GREGORY J. HAZLITT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRIAN J. ELLIS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JESUS S. MORENO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

COLLEEN L. JACKSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JONATHAN V. AHLSTROM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

TY D. RATHBURST

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOSHDUB.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEVEN A. DAWLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WILLIAM A. DELOCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WILLIAM L. DUFF III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DAVID K. DUWEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RAFAEL E. DUYOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOSEPH E. FALS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ANDREW K. FORTMANN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RAY A. GLENN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRIAN K. HAMEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ERIC D. HICKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SHAWN W. IRISH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

GARY M. JOY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RYAN R. KENDALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ERIC M. KIRLIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOHN J. KITT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROBERT M. LAIRD, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

RICHARD T. LESN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SEAN P. LEWIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEVEN M. LIBERTY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ALEJANDRO B. NILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JONATHAN P. NELSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLES W. PHILLIPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ETHAN M. RULE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JARED SEVERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROGER R. SOMERO, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOSHUA C. STEWART

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ADAM J. THOMAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROBERT WEBSTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DAVID E. WHITMANN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

THOMPSON XIAO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOEL R. YODER

CONFIRMATION

Executive nomination confirmed by the Senate, Tuesday, April 21, 2009:

DEPARTMENT OF STATE

CHRISTOPHER R. HILL, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF IRAQ.

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.