

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1637 TO AMENDMENT NO. 1636

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1637 to amendment No. 1636.

Mr. REID. Mr. President, I ask unanimous consent that further reading be waived.

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

The amendment is as follows:

In the amendment, strike "2 days" and insert "1 day".

EXECUTIVE SESSION

NOMINATION OF JESSE M. FURMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 366.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read the nomination of Jesse M. Furman, of New York, to be United States District Judge for the Southern District of New York.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion which is at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jesse M. Furman, of New York, to be United States District Judge for the Southern District of New York:

Harry Reid, Patrick J. Leahy, Robert P. Casey Jr., Richard J. Durbin, Richard Blumenthal, Jeff Bingaman, Christopher A. Coons, Sheldon Whitehouse, Al Franken, Herb Kohl, Dianne Feinstein, Tom Udall, Mark Begich, Kent Conrad, Amy Klobuchar, Charles E. Schumer, Kirsten E. Gillibrand, Joseph I. Lieberman.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a pe-

riod of morning business, with Senators allowed to speak for up to 10 minutes each, until 6:15 this evening.

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

LEGISLATIVE SESSION

Mr. REID. Mr. President, has the Chair announced that we are resuming legislative session?

The PRESIDING OFFICER. The Senate will now resume legislative session.

SURFACE TRANSPORTATION ACT

Mr. REID. Mr. President, I was going to ask a number of consent requests which I thought were important to present to the Senate, important issues that have not been resolved. I decided not to do that.

We have made some progress in working toward an end of the issues that are preventing us from moving forward on this bill. I hope we can continue to do that in the next 24 hours. There is certainly enough importance in this legislation to do just that. We are talking about more than 2 million jobs with this legislation, so I hope my friends, the Republicans, will figure out a way to help us move forward on this legislation.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I want to follow on to the comments made by the majority leader about the importance of the bill we are trying desperately to move forward here today and we tried to move forward yesterday. We had a good vote when we came back here on Monday night. Eighty-five of us said, Let's go do this highway bill. This is a key and important matter for the country.

In the 1950s, it was President Dwight Eisenhower, a Republican President, who said, We need an interstate highway system. We cannot move people, we cannot move commerce, we cannot be a great power. We have a great military, but we don't have a good road system. He moved forward not only with that but with the very first aid to schools at that time; because before he made the point that we needed to have a Federal program to help our schools, it was strictly a State matter. So we owe President Eisenhower a lot. And I will tell you, the way we are acting around here, if he were watching, he would be shocked. The first amendment to a highway bill is birth control. The second amendment the Republicans want after birth control is to talk about Egypt. It goes on and on, controversial drilling off our coast, and all of this list they came up with.

It is very clear we have a bipartisan bill. It will make sure that we build our roads, we fix our roads, we fix our freeways, we make sure our bridges are safe. Right now, we have a horrible situation with tens of thousands of bridges that are unsafe. Do we need to have another tragedy before we pass this highway bill?

Every committee has done its work, including the Finance Committee, to come up with the funds to fill the Highway Trust Fund so we can keep going at current levels plus inflation, and we have leveraged one program called TIFIA which leverages 30 times. So by putting \$1 billion into the TIFIA Program—and you know about it because you are a proud member of the EPW Committee—by putting \$1 billion into the TIFIA Program, it means \$30 billion out there, because the States and the localities will apply for this funding, they will match this funding, the private sector will match it, and we will create up to 1 million more jobs in addition to the 1.8 million we are protecting with the rest of the programs.

We are talking about a real shot in the arm to our economy. I am proud that Senator INHOFE—who is the mirror opposite of me in most issues. We do not agree on most issues. We do agree on this, the need to have a class-A infrastructure. We agree on that. We think it is critical. Yet here we sit, minute after minute, hour after hour, day after day, because Republican Senators do not want us to move forward on this bill. You have to ask why. Why? We are willing to take these amendments. We are willing to work on several of them. We cannot do 100 unrelated amendments. Come to us with a list that makes sense. But do not tell the people in your State you are working to get a highway bill done because I am here to put in the RECORD that the fact is, you are not helping. You are hurting us. You are hurting the hundreds of thousands of construction workers who need these good-paying jobs. You are hurting the tens of thousands of businesses that need to get back to work making the cement, laying the pavement, fixing the bridges, building the houses.

It is very distressing. When I go home and people say: What is happening, well, they have to have a vote on birth control. It is hard to find the words except to say: What are you thinking when we have a bill that is so important?

My Republican friends stand here, minute after minute and hour after hour—they are not here now—all day criticizing President Obama, who has turned this economy around—no thanks to them. When he took over, 800,000 jobs a month—bleeding. There was a contraction in economic growth. It was way down in the final quarter of the Bush years. There were huge deficits he inherited from Bush. He's turned it around. He said we need to save the auto industry, and we did. A lot of our friends on the other side said: Oh, don't do it. They were wrong. The President was right. We are recovering. Month after month we are adding jobs, after loss after loss of jobs. We have turned it around.

But I will tell you that this bill is, as the chamber of commerce and the AFL-CIO agree, the No. 1 jobs bill we can do. There is not much we do

around here that can have an impact on 2.8 million jobs. I cannot think of anything that tops that. They are mostly private sector jobs. There are some jobs in the public sector in the transit areas, but they are mostly private sector, private business jobs.

So anyone who tells you they are for jobs and anyone who tells you they are for economic recovery, the first thing you should say is, Are you helping Senators BOXER and INHOFE in a bipartisan way to move the highway bill, because that is 2.8 million jobs. If they give you an answer like: Oh, sure, but we have to have a few important amendments first, you ask them what those amendments are. If they are honest with you, they will tell you birth control, a woman's right to choose, health care, offshore oil drilling.

They have one they want to offer that would hurt our people's health. It would allow dangerous arsenic and lead and other toxins to go into the air from boilers. They want to repeal a protective rule we have that will clean up the pollution from boilers, even though the biggest boiler manufacturers support the rule. Go figure. The last thing I hear people in my State tell me is, oh, I want more arsenic in my air and, oh, I would love to have more lead. I need more mercury.

Please. This is the 21st century. We have made so much progress on the environment. We are making progress on health care. We are making progress on infrastructure. Don't stop it all. Step back, let this bill go forward.

Senator REID has set up a vote, a first test vote after the vote to proceed. I know some people have some problems with a couple of the titles, and we are working on fixing that, but I hope we will get 60 votes to proceed. If we do not, we are going to try again. Believe me, we are going to try and try again because, as one Senator, I am not going to agree to do anything else until will we get this bill done, period. One thousand organizations are at work trying to push this bill forward, organizations from business, to labor, to government. We have the general contractors, the cement makers, the AFL-CIO and a number of unions, the chamber of commerce, the granite people, we have Portland Cement, and we have a group that represents America, AAA.

We have to do this bill. I will not, as one Senator, give up my right and go to anything else. That is how strongly I feel about it, and I do not believe I am being selfish. I think I am representing the people of this country who want to see a jobs bill pass, who want to see a bipartisan bill pass, who want to make sure our States do not suddenly start laying people off at a time when we are finally turning this economy around.

I guess I am laying down a marker here as one Senator from one State, albeit the largest State in the Union, 38 million people strong, with a high unemployment rate, traffic congestion. We take 40 percent of the goods

through California that are being imported into our country. It goes on our roads, all throughout America. Do you think we need better roads? Oh, yes, we do. Do you know what happens when those trucks sit and stall on the 10 freeway? It is ugly, it is dirty, it is wasting money, it is wasting time, it is hurting people's lungs, and it cannot stand.

I lay down the marker today. I ask my friends to please come to the table. I am ready, willing, and able, as the chairman of the Environment and Public Works Committee. We will meet with you. We will listen to you. If you want to have a certain amendment offered and we can help you get it done and it makes sense, it is relevant, we will help.

But other than that, let me be clear, there are a few things we do around here that are bread and butter, basic. The highway bill that got started under Dwight Eisenhower is basic. You should hear what Ronald Reagan said about the importance of a highway bill, the importance of a transit bill. You should hear it. It is on the radio. People are taking out ads to talk about it. Bill Clinton is eloquent on the point. This is a bipartisan issue, and it will be voted on in this Senate. It will be voted on because I cannot in good faith as the chairman of this committee just give in and say: OK, we are done. We tried for 4 days, it did not happen.

But I hope everyone watching in America—if we have anyone watching—will understand that it is 3:20 on a workday. This Chamber is empty because people are playing games and maybe they don't want this economy to go forward. Maybe they don't want to see President Obama succeed. Maybe they don't care about jobs, for all their talk, because that is the only thing I can say.

When you have a bill on the floor that came out of a committee unanimously—it came out of two committees unanimously: Senator INHOFE and I agreed; Senators JOHNSON and SHELBY agreed—and then you have the Finance Committee reaching out to the Republicans—they worked together, and they had a tremendous vote, which I think was 17 to 6 with one voting present, for their title, and that is about 90 percent of this bill—and then you see nothing here going on because people want to offer amendments about birth control, it is beyond me.

I hope, as you see this floor quiet today, if it bothers you the way it bothers me, you will call the Capitol and leave a message for the leaders on both sides of the aisle and say: For the good of the people, put aside your differences and get this job done.

This is a bipartisan bill. This is not a Democratic bill. It is not a Republican bill. It is a bipartisan bill. Surely if the committees could set aside unbelievable differences, then we can do the same and get to work on this.

I am embarrassed—embarrassed for the people of this country. They are

out there working and there is an empty Chamber here when we have the most important bill we could possibly have on the floor.

I am going to fight for this bill. I am going to fight hard. I am going to make the case. I am going to fight for the 2.8 million jobs it could produce. I am going to fight for the thousands of businesses that need this lift. I am going to fight for the people who need to have safe roads and safe routes to school so they do not have to worry. I am going to do it in the name of the people who never made it because they were on some unsafe road. Senator INHOFE talks about a mother and a child who went under a bridge in Oklahoma, and a big sheet of concrete fell down and she is gone. She died. I am going to do it in the name of all these things because this bill is about motherhood and apple pie.

There is no partisanship to this—none. Republicans use the roads and Democrats use the roads. Independents use the roads. We all use the roads. We want our children safe. We want our families safe. We want our roads usable. We do not want to be caught in congestion. Every part of the transportation system is addressed by the four committees that have come together on this bill.

As I leave the floor—and I do not see anybody else—I hope people will watch. In 5 or 10 minutes, if nobody is here, pick up your phone and call the leaders of Congress and tell them to get to work on the Transportation bill and don't offer ridiculously unrelated amendments. We do not have to do that. Come together and sit down together and make a path forward because right now there is no path forward. I do not see it. I do not see it. It is one of those things where people just say: I don't care; we are not going to this bill.

Everyone in America is going to know this is happening because I am going to tell everyone in America it is happening. I will not be listened to the first few times, but maybe by the 20th time somebody will notice what is happening here. We are in morning business, meaning we are just yakking, we are not doing any real work. But I will be back in a little while to give a report on the progress we are making—or lack of same.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. COATS. Madam President, I come to the floor today frustrated, as many of us are, that once again we are not able to address legislation in the way the Senate is designed to address

it, which is to debate, to discuss, to offer amendments, and to vote. Once again the majority leader has decided he didn't like some of the proposed amendments and, therefore, is trying to shut off all opportunity to provide amendments. We are allowed to come down and give our little speeches, but there is no debate, there is no back and forth, there is no record of where we stand on certain issues except for final passage. I think the American people want more than that. That is not why they sent us here.

This is my second time in the Senate, with a 12-year gap in between my terms, and a lot of people ask me what has changed since my first time here. I say one thing that has dramatically changed—and which didn't happen my first time in the Senate—is that we used to be able to come to the floor and essentially offer any amendment at any time to any bill. That is the difference between Senate procedure and the rules in the House of Representatives. We don't have a Rules Committee that dictates which amendments can be offered and which ones can't. This is supposed to be a body where we have an open discussion, where any Member can offer any amendment to any bill at any time. So in my first 10 years, that is what we did. It made for long nights, it made for long days, but we were performing the function our Founding Fathers designed for this body to fulfill.

Somehow it worked out. We went on record. Our yea was yea, and our nay was nay, and it was all there for the public to see. The amendments that were offered, the debate that took place, and the vote that was conducted were all there. Then we went home and explained why we voted yes or why we voted no. But the public had full transparency.

Today, and in this period of time—and I have just been here a year and a month in my second stint in the Senate—it is very seldom we have that opportunity.

Once again, on the highway bill, which affects every American in every State, we have finally gotten to the real thing. Our side has put up some amendments, and the majority has looked at them and said: No, we don't want our Members to have to vote on those, so we will use a procedure called "filling the tree."

Now, that doesn't mean anything to Americans—filling the tree. What am I talking about? There is a procedure in the Senate where we can only offer so many amendments to a particular bill before we are precluded from offering another. The majority leader of the Senate—whether Republican or Democrat—has the opportunity, if he or she wants to take it, to gain the floor and procedurally put us in a position where no amendments can be offered and then move to talking about it and to immediate debate.

That is not the way we should proceed. I was prepared to give this high-

way bill a real chance. I have some real problems with the bill that is before us. The House is passing legislation that has many things in it I like—some things I don't like—and we were all looking for an opportunity to try to address those particular concerns.

I have a particular concern with the bill that is brought before the Senate because this bill, for starters, goes into the general fund and beyond the sales tax for gasoline purchases fund.

Everybody thinks when they pull up to the pump and fill their car with gas, they know there is a Federal tax attached to the price we pay, but they know it goes into a tax fund specially designed to provide for construction and provide for return to the States so they can build the roads and repair the bridges and do things associated with transportation. That is why we pay that gas tax. That is supposed to be apportioned in a rational way back to the States so they can do what is needed for their State to provide the kind of transportation their State wants.

This bill not only uses all the money that is paid into that fund but adds an additional \$12 billion of spending that is from the general fund. The pay-fors aren't legitimate. So, once again, we are in a situation where we are borrowing money, going into debt, increasing deficit spending and increasing the debt load we have in order to enhance the money we are going to send out to the States.

Many of us have said based on what we have seen and what has happened here in years that has driven us into a deficit which cannot be sustained and a debt which may never be repaid, we are simply not going to support legislation that spends more than we take in without being paid for. We can't keep doing this. Now we are in a situation where we have a bill before us that is needed because we need these funds to give to the States to build the roads and repair the bridges, but we are dipping into the general fund for an additional \$12 billion.

Secondly, there is an inequitable treatment to States. I bring this chart to show how this affects various States. If we take what a State has paid into the fund and look at what a State receives back, we will see there is an inequity present. Part of the general fund money that is going into this might try to make up for some of that. But if we stay with the principle upon which highway funding has always been funded; that is, a State gets returned its proportionate share of what the taxpayers pay when they pull up to the pump in that State and fill their car with gas, there are some States that fall within a real deep deficit.

It starts with the State of Texas. Texas loses \$1,113,000,000 that is paid in but doesn't come back to them under the formula. My home State of Indiana is third on the list. We lose \$275 million because what we pay into the fund is not returned to us. These are all of the donor States. Donor States are those

that pay in more than they receive back. They are pretty big States and have a real stake in this and would have had a real stake in this amendment. These States would have had an opportunity to vote for or against this amendment had I been allowed to offer it.

The States of Texas, Georgia \$283 million, New Jersey, Florida, California, Ohio, Virginia, Michigan, Illinois, and on it goes. Members can take a look at this chart. This is the amount of money they lose because they are not getting their fair share back and they are the donor States. The money that is lost is sent to other States that are the donee States. So our taxpayers in Indiana are paying the equivalent of \$283 million to other States.

We have been a State that has managed our fiscal situation very well and we have been very careful. We have this old-fashioned belief that we shouldn't spend more money than we take in, and we live by that principle in Indiana. We have been careful in how we have managed our money and how we have used the money that is sent to us that we paid into the gas tax fund. Yet we are penalized because we have managed our finances well, and Hoosier taxpayers end up sending money to States that haven't done as well.

The second problem is, this bill falls short because though we are no longer doing earmarks, it includes earmarks from over the past several years, and the total of those earmarks goes into the total average of spending for that particular State, and the formula then is based on the fact that the big earmarkers end up getting more money, while States such as Indiana that have not pursued those earmarks lose out because the average is based on the accumulative amount that is paid into the fund, including earmarks. Once again, a State that has been careful in terms of managing and spending its money ends up being penalized because we haven't pursued earmarks, which, fortunately, are no longer part of our method of doing business.

Indiana pays approximately 2.71 percent of the total Federal gas tax, and we would like to get 2.71 of that back. If we do get that back, it will have a significant effect. We have a second chart that talks about what is paid into the highway trust fund just for a few States that we listed, the apportionment under the bill that is before us and the amount that is below the fair share and I have read some of those. Again, Texas, Georgia, Indiana, New Jersey, and Florida being the top five States that are penalized for this.

I also had amendments I was going to add that would give States greater flexibility in terms of how they use the money they receive. We have all heard the stories about money being diverted to things that a State doesn't want because there is a formula attached to the legislation that says you have to

spend X percent of money on certain projects, such as bike paths and walking paths and other so-called enhancements. I am not against that. I use those. I jog on bike paths and appreciate some of those enhancements. But that ought to be a State decision in terms of how it allocates its money and not a Federal decision because a one-size-fits-all dictated by a particular piece of legislation simply does not take into account the individual needs of a particular State. Some States may want to say: Look, our roads are in such shape and our bridges need repaired. At least for this year or the next 2 years, we are going to divert the money into strictly construction and repair projects. Others might say: Well, we are in a little bit better shape this year and we can use some of this. That ought to be for the States to decide and not a piece of legislation coming out of this body.

Finally, another amendment I would have liked to offer, if not for the majority leader's refusal for an open-amendment process, is one that would have limited the scope of eligible transportation enhancement projects. We hear these reports every day about crumbling roads and unsafe bridges. Yet what we are doing in this bill is limiting how a State determines where it puts its funds. I think we ought to narrow that option, if not take it away.

To wrap up, let me just say I think it is very unfortunate that we have resorted to a system where if the other side—and I would say this to my leader if my party was in the majority. This is not how the Senate is supposed to operate. Someone from the other side who has an amendment we don't like, they ought to have the opportunity to offer that amendment and they ought to have the opportunity to debate that amendment and to require a vote on that amendment. Then we can vote yes or we can vote no and the public can judge us accordingly. But to simply shut it all down and not give anybody that opportunity I think is not the kind of procedure we want.

Finally, let me simply say this bill brought before us is a flawed bill. Without the process of amending it or the opportunity to amend, to fix what we think is wrong with it, puts us in a position where it is impossible to say we can vote for something such as this.

For the reasons I have articulated and for other reasons that will come out as we make these speeches on the floor but don't have a chance to offer amendments, I simply cannot support this bill as it is.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. WHITEHOUSE). Without objection, it is so ordered.

RECOGNIZING JOHN HERSCHEL GLENN, JR.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 377, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 377) recognizing the 50th anniversary of the historic achievement of John Herschel Glenn, Jr., in becoming the first United States astronaut to orbit the Earth.

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

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The resolution (S. Res. 377) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 377

Whereas John Herschel Glenn, Jr. was born on July 18, 1921, in Cambridge, Ohio to parents John and Clara Glenn;

Whereas John Glenn grew up in New Concord, Ohio with his childhood sweetheart and future wife, Annie Castor, 150 miles east of Dayton, Ohio, the birthplace of the Wright brothers, who first took humankind into flight;

Whereas John Glenn enlisted in the Naval Aviation Cadet program shortly after the December 7, 1941, attack on Pearl Harbor, Hawaii, and was commissioned as an officer in the United States Marine Corps in 1943;

Whereas John Glenn received many honors for his military service, including the Distinguished Flying Cross on 6 occasions, the Air Medal with 18 Clusters, the Asiatic-Pacific Campaign Medal, the American Campaign Medal, the World War II Victory Medal, the China Service Medal, the National Defense Service Medal, and the Korean Service Medal;

Whereas, with the onset of the Cold War, the United States and the free world feared the intentions of the Soviet Union in space;

Whereas President Dwight D. Eisenhower asked the National Aeronautics and Space Administration (referred to in this preamble as "NASA") to find the most talented, patriotic, and selfless test pilots to participate in Project Mercury, the first human spaceflight program in the United States;

Whereas John Glenn and fellow candidates for NASA's Astronaut Corps underwent pressure suit, acceleration, vibration, heat, loud noise, psychiatric, personality, motivation, and aptitude tests at the Aeromedical Laboratory at the Wright Air Development Center in Dayton, Ohio;

Whereas John Glenn, Malcolm S. Carpenter, L. Gordon Cooper, Jr., Virgil I. "Gus" Grissom, Walter M. Shirra, Jr., Alan B. Shepard, Jr., and Donald K. Slayton were selected from among hundreds of other patriotic candidates to be named the original "Mercury Seven" astronauts;

Whereas Project Mercury was charged with the unprecedented responsibility of competing with the strides that the Soviet Union was making in space exploration;

Whereas the United States public viewed John Glenn and the Mercury Seven astronauts as men on the front line of the war not only for space supremacy but also, in many minds, for the survival of the United States;

Whereas John Glenn accurately captured the significance of the time when he later wrote that "the world was at the door of a new age, and we were the people who had been chosen to take the first steps across the threshold";

Whereas the Project Mercury astronauts trained for their manned space flight missions in the Multi-Axis Space Training Inertial Facility at NASA's Research Center in Cleveland, Ohio;

Whereas Alan Shepard was chosen to pilot the first manned Project Mercury mission on *Freedom 7* on May 5, 1961, which proved that the United States was capable of successfully launching a person into suborbital flight;

Whereas Virgil Grissom was chosen to pilot the second manned Project Mercury mission on *Liberty Bell 7* and became the second United States astronaut to achieve suborbital flight on July 21, 1961;

Whereas the Soviet Union had successfully launched the spacecrafts *Lunar 2* and *Lunar 3* in 1959 before successfully launching and returning to Earth Major Yuri Gagarin, who completed a 108-minute single orbit around the Earth in 1961;

Whereas John Glenn was selected from among the Project Mercury astronauts to command the first United States capsule to orbit the Earth;

Whereas John Glenn, with the help of his children Dave and Lyn, named the first United States space capsule to orbit the Earth *Friendship 7*, re-emphasizing the peaceful intentions of the United States space exploration program;

Whereas John Glenn trained vigorously, working through 70 simulated missions and reacting to nearly 200 simulated system failures, to prepare to orbit the Earth and successfully complete the first manned orbital mission for the United States;

Whereas the work that John Glenn conducted on the cockpit layout, instrument panel design, and spacecraft controls in the Mercury spacecraft enhanced the design of *Friendship 7* and the ability of an astronaut to control *Friendship 7*, which proved useful during the mission;

Whereas, at 9:47 a.m. Eastern Standard Time on February 20, 1962, the Atlas 109D rocket boosters ignited and John Glenn and *Friendship 7* commenced liftoff at NASA's Space Center in Cape Canaveral, Florida;

Whereas John Glenn, aboard *Friendship 7*, became the first United States astronaut to orbit the Earth, orbiting 3 times and observing 3 sunrises, 3 sunsets, and the wonder of the universe in only 4 hours and 56 minutes;

Whereas, when John Glenn learned that the heat shield on *Friendship 7* had possibly become loose in orbit, compromising the successful completion of the space mission, Glenn bravely managed the reentry procedures and proved that a person can safely and successfully complete a NASA mission;

Whereas John Glenn successfully completed reentry into Earth, splashing down in the Atlantic Ocean at 2:43 p.m. Eastern Standard Time, east of Grand Turk Island at 21 degrees, 25 minutes North latitude and 68 degrees, 36 minutes West longitude, and was recovered by the USS *Noa*;

Whereas, in the context of the Cold War, the success of the *Friendship 7* flight restored the standing of the United States as the leading country in the race to space against the Soviet Union;

Whereas the completion of the inaugural orbit of the Earth by John Glenn validated