

ROTC program. This experience allowed him to build up the skills and discipline that would become the foundation of his success in the services. Outside of school, Sergeant Hermogino relaxed by skateboarding, BMX racing, and displaying his talent for fixing just about anything.

Sergeant Hermogino enlisted in the Air Force in 2001, and he served for 8 years as a medical administrator based in the U.S. and Manas, Kyrgyzstan. While he assisted fellow servicemembers suffering from life-threatening wounds, Sergeant Hermogino always felt compelled to expand his contribution. His brother, Marvin Jeff, has said, "He wanted to be more involved."

In 2009, Sergeant Hermogino joined the Army and served in support of Operation Enduring Freedom as a member of the 7th Squadron, 10th Cavalry Regiment, based at Fort Carson, CO. Sergeant Hermogino's bravery and exemplary service did not escape the notice of his commanders. He earned, among other decorations, the Air Force and Army Commendation Medals, the National Defense Service Medal, and the Afghanistan Campaign Medal.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Sergeant Hermogino's service was in keeping with this sentiment by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

Today's tribute to the memory of Sergeant Hermogino must also honor his profound love for family. In this spirit, I ask my colleagues to join me in extending our deepest respects and condolences to Norma, his mother, Renato, his father, and to his entire family. Please know that Colorado and Americans across the country are profoundly grateful for Ken's sacrifice. For his bravery in Afghanistan and across the world, he will forever be remembered as one of our country's bravest.

#### HONORING OUR SERVICE MEN AND WOMEN THIS MEMORIAL DAY

Mr. CARDIN. Mr. President, I rise today to honor the sacrifice of those to whom we are forever indebted: the brave men and women of our Armed Forces, both past and present, who died in defense of freedom. It has been and continues to be their duty, honor, and privilege to serve. With Memorial Day 2011 approaching, it is our duty to pause and honor those who have sacrificed.

Memorial Day has become the unofficial beginning of summer. Schools are beginning to break for summer vacation, community pools are opening for the season, and friends and family are gathering this weekend for barbecues. It is important that we not lose sight of the true nature of this holiday and I encourage all of us to take time to pause and remember the meaning of Memorial Day.

Memorial Day, originally called Decoration Day, is a day of remembrance for those who have died in our Nation's service. Since 1868, this time of year has been designated as a time to pause and honor our war dead. It was officially designated a Federal holiday in 1971. An often overlooked tradition is to have a moment of remembrance specifically at 3 p.m. local time.

Throughout the Nation over this holiday weekend we will see many American flags and flowers adorning the graves of those who have made the ultimate sacrifice for our Nation. I will remember in particular the 104 Marylanders who have been killed in our most recent conflicts, and I will remind myself that our freedom isn't free. I will remind myself of their ultimate sacrifice and I will remind myself of the ongoing sacrifices their families continue to make each and every day.

I am immensely proud of the men and women—fewer than 1 percent of our population—who serve in our All-Volunteer Force. But there is a drawback, of sorts, to having an All-Volunteer Force: the sacrifices of the few are not felt by the many; therefore, they can be overlooked. We mustn't allow this to happen. This environment is much different than the conflicts of the past where nearly everyone had a friend, neighbor, or loved one who wore the cloth of our Nation.

I call on my colleagues and all Americans to remember the true meaning of Memorial Day and take the time to pause and remember those who have made the ultimate sacrifice in defense of our freedom and for the continued success of this great Nation.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, as the Senate prepares to adjourn for the Memorial Day recess, I had hoped that we would be allowed to proceed with the consensus judicial nominees ready for confirmation and who are so needed to fill vacancies on Federal courts around the country. Instead, the Republican leadership's filibuster of the nomination of Goodwin Liu is being supplemented with delays of even those judicial nominations supported by Republican home State Senators and approved by Republicans on the Senate Judiciary Committee. This is too bad.

With judicial vacancies continuing at crisis levels, affecting the ability of courts to provide justice to Americans around the country, I have been urging the Senate to vote on the judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. The Senate is recessing with 19 judicial nominations awaiting final action. Of those, 16 are by anyone's definition consensus nominees. All 16 were unanimously approved by all Republican and all Democratic Senators on the Judiciary Committee. Yet they remain stalled without final Senate action.

We should have regular votes on President Obama's highly qualified

nominees, instead of partisan filibusters and more delays. With vacancies still totaling 90 on Federal courts throughout the country with nearly two dozen future vacancies on the horizon, there is no time to delay taking up these nominations. Had we taken positive action on the consensus nominees, vacancies could have been reduced below 80 for the first time in years.

All of the nominations reported by this committee and pending on the Senate's Executive Calendar have been through our Judiciary Committee's fair and thorough process. We review extensive background material on each nominee. All Senators on the Committee, Democratic and Republican, have the opportunity to ask the nominees questions at a live hearing. Senators also have the opportunity to ask questions in writing following the hearing and to meet with the nominees. All of these nominees which the Committee reported to the Senate have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. All have the support of their home State Senators, both Republican and Democratic. They should not be delayed for weeks and months needlessly after being so thoroughly and fairly considered by the Judiciary Committee.

They include several nominees to fill judicial emergency vacancies, including Paul Engelmayer and William Kuntz of New York, Michael Simon of Oregon, Richard Brooke Jackson of Colorado, Kathleen Williams of Florida, and Nelva Gonzales Ramos of Texas, as well as Henry Floyd of South Carolina to the Fourth Circuit. The nomination of Professor Liu being filibustered by Republican leadership is also to fill a judicial emergency vacancy.

Those nominees who have the support of home State Republican Senators include Bernice Donald of Tennessee to the Sixth Circuit, Henry Floyd of South Carolina to the Fourth Circuit, Sara Lynn Darrow of Illinois, Kathleen Williams of Florida, Nelva Gonzales Ramos of Texas, John Andrew Ross of Missouri, Timothy Cain of South Carolina, Nannette Jolivet Brown of Louisiana, and Nancy Torresen of Maine. In spite of that support, we are unable to secure consent from the Republican leadership to consider and confirm them.

Of the judicial nominations we have been able to get the Senate to consider this year almost 70 percent were delayed from last year. We have only been able to confirm eight judicial nominees that had hearings and were reported for the first time this year. So when some say we are taking "positive action" on large percentages of nominees, what this shows is how many unobjectionable nominees were stalled last year by objections from the minority.

We could have made significant progress helping Americans seeking justice in our Federal courts before

this recess. Sadly, it is a missed opportunity for Senators across the aisle to have joined together with us and worked with the President to provide needed judicial resources.

#### 50TH ANNIVERSARY OF PRESIDENT KENNEDY'S CALL TO GO TO THE MOON

Ms. MIKULSKI. Mr. President, May 25, 2011, marked the 50th anniversary of President John F. Kennedy's speech that set the original dream of American exploration with a goal of sending a human to the Moon and returning him safely by the end of the decade.

President Kennedy's speech was more than a call for a Moon shot. It was 17 days after Alan Shepard became the second human in space, and the Nation was still recovering from a recession and recovering from the Cuban missile crisis. That year, President Kennedy took the unusual step of coming to Congress in May to address urgent, "extraordinary" national needs. During his speech, he said, "In a very real sense, it will not be one man going to the Moon . . . it will be an entire Nation. For all of us must work to put him there." He sounded the starting gun of the space race. In that race, the United States and its young President were determined to cross the finish line first.

America is no longer in a space race. We are in a race for our economic future. We are not racing other countries. We are racing ourselves. To win this economic race, we must do as President Obama has urged us. We must work together to out-innovate, out-educate, and out-build our competitors. That is why I fight so hard to invest in America's exploration and discovery which creates jobs for today and jobs for tomorrow.

As we were 50 years ago, our space program is embarking on a new journey. This year, after 30 years of great service NASA will retire the Space Shuttle with honor and dignity. We will bid goodbye to this workhorse that launched and fixed Hubble and built the International Space Station.

Last year, Congress gave NASA a new path forward. My colleagues and I fought to pass a new authorization bill. It was not easy. There was confusion and chaos about the path forward, and the austere budget environment required tough choices. The authorization law established a balanced space program. It increased investments in Science and Aeronautics so we can explore the universe, protect the planet, and make air travel safer and more reliable. The bill provided for new Space Technology research and development to make exploring space safer and more efficient. Finally, it gave us a sustainable human space flight program that extends the International Space Station lab to 2020, opens low Earth orbit to commercial providers, for cargo first, then crew, and broadens human reach beyond low Earth orbit.

NASA will begin building our next generation vehicles to go beyond low Earth orbit, the heavy lift rocket and the Orion capsule. The private sector will build commercial cargo and crew vehicles, with NASA providing the venture capital to get cargo and astronauts to the International Space Station while building a whole new industry.

The shuttle is retiring, but our missions in space will sail on. It doesn't matter how we get there. We can't be defined by our Space Transportation System. Our future in space will be built on innovation and discovery from commercial rockets taking cargo and someday astronauts to the International Space Station; to the James Webb Space Telescope discovering new galaxies and new frontiers in science; to new technologies to grab and fix damaged satellites in space with robots.

New technologies don't just happen. They come from American ingenuity that is built on discovery and innovation. They have made America great and they have made us a nation worth imitating.

As we look around the world, we see people who yearn to imitate the democracy we have, who brought down dictators and autocrats with American innovations like Twitter. They believe representative, parliamentary bodies can give them an orderly way to move government forward and will give them better lives, helping them compete in the world economy.

Already, emerging nations, like China, are imitating our investments in discovery and innovation. China is embarking on an ambitious space program that is reaching for the stars with satellites and astronauts. China is increasing its science research budget 20 percent each year, seeking to replicate our National Science Foundation.

I don't worry about being in a race with China or other nations. China can't beat us. We can only beat ourselves by losing our drive to reach for great goals and by failing to invest in the research and development that will help us achieve them. I will keep fighting to for the innovation and discovery that makes America worth imitating.

I believe in the space program. I believe in space technology, in green science that helps us understand and protect the planet, and in heliophysics that studies the Sun so we know when solar storms could knock out the power grid. I believe in the men and women of the space program like the astronauts who risk their lives to extend our human reach in space, the astrophysicists who teach us about dark matter and the origins of the universe, and the machinists who craft the precision robots that explore the universe for us. The men and women of the space program are the best of the American economy, creating jobs for today and jobs for tomorrow.

President Kennedy knew we needed all of the Nation's talents to go safely

to the Moon. Fifty years later, we live in different, and more frugal, times. We must not let our urgent, immediate needs keep us from investing in programs that see results well into the future. While looking toward immediate national needs, President Kennedy also urged investments for the long haul. He wanted the United States to take risks on science that changed the world, putting people on the Moon, and on a civilian weather satellite in space.

While America waits on our new crop of innovations to mature, we will keep reaping the harvest of the discoveries and investments made long ago that have become the Internet, medical imaging like MRIs, and countless other products that help American companies invent new products and create new jobs.

In these frugal times, we should all work together to keep alive President Kennedy's spirit of exploration and discovery and win the future.

#### INTENT TO OBJECT

Mr. WYDEN. Mr. President, consistent with Senate Standing Orders and my policy of publishing in the CONGRESSIONAL RECORD a statement whenever I place a hold on legislation, I am announcing my intention to object to any unanimous consent request to proceed to S. 968, the PROTECT IP Act.

In December of last year I placed a hold on similar legislation, commonly called COICA, because I felt the costs of the legislation far outweighed the benefits. After careful analysis of the Protect IP Act, or PIPA, I am compelled to draw the same conclusion. I understand and agree with the goal of the legislation, to protect intellectual property and combat commerce in counterfeit goods, but I am not willing to muzzle speech and stifle innovation and economic growth to achieve this objective. At the expense of legitimate commerce, PIPA's prescription takes an overreaching approach to policing the Internet when a more balanced and targeted approach would be more effective. The collateral damage of this approach is speech, innovation and the very integrity of the Internet.

The Internet represents the shipping lane of the 21st century. It is increasingly in America's economic interest to ensure that the Internet is a viable means for American innovation, commerce, and the advancement of our ideals that empower people all around the world. By ceding control of the Internet to corporations through a private right of action, and to government agencies that do not sufficiently understand and value the Internet, PIPA represents a threat our economic future and to our international objectives. Until the many issues that I and others have raised with this legislation are addressed, I will object to a unanimous consent request to proceed to the legislation.