

1882 and 1959 in a campaign of terror led by the Ku Klux Klan;

Whereas the number of victims killed by lynching in the history of the United States exceeds the number of people killed in the horrible attack on Pearl Harbor (2,333 dead) and Hurricane Katrina (1,836 dead) combined; and

Whereas African-Americans, as well as Italian, Jewish, and Mexican-Americans, have comprised the vast majority of lynching victims, and, by erasing the terrible symbols of the past, we can continue to move forward on issues of race in the United States: Now, therefore, be it

Resolved, [T]hat it is the sense of the Senate that—

[(1) the hanging of nooses is a reprehensible act when used for the purpose of intimidation and, under certain circumstances, can be criminal;

[(2) the hanging of nooses for the purpose of intimidation should be investigated thoroughly by Federal, State, and local law enforcement; and

[(3) any criminal violations involving the hanging of nooses should be vigorously prosecuted.]

That it is the sense of the Senate that—

(1) the hanging of nooses is a reprehensible act when used for the purpose of intimidation and, under certain circumstances, can be criminal;

(2) incidents involving the hanging of a noose should be investigated thoroughly by Federal, State, and local law enforcement, and all private entities and individuals should be encouraged to cooperate with any such investigation; and

(3) any criminal violations involving the hanging of nooses should be vigorously prosecuted.

Mr. REID. Madam President, I ask unanimous consent that the committee-reported amendment be considered and agreed to; that the resolution, as amended, be agreed to; that the amendment to the preamble be agreed to; that the preamble, as amended, be agreed to; that the title amendment be agreed to; that the motion to reconsider be laid upon the table en bloc; and that any statements relating to the resolution be printed in the RECORD.

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

The committee amendment was agreed to.

The resolution (S. Res. 396), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, reads as follows:

(The resolution will be printed in a future edition of the RECORD.)

The title amendment was agreed to, as follows:

“Expressing the sense of the Senate that the hanging of nooses should be thoroughly investigated by Federal, State, and local law enforcement authorities and that any criminal violations should be vigorously prosecuted.”

WOUNDED WARRIOR BONUS EQUITY ACT

Mr. REID. Madam President, I ask unanimous consent that the Committee on Armed Services be dis-

charged from further consideration of S. 2400.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2400) to amend title 37, United States Code, to require the Secretary of Defense to continue to pay a member of the Armed Forces who is retired or separated from the Armed Forces due to combat-related injury certain bonuses that the member was entitled to before the retirement or separation and would continue to be entitled to if the member was not retired or separated, and for other purposes.

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

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2400) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Wounded Warrior Bonus Equity Act”.

SEC. 2. CONTINUATION OF CERTAIN BONUS PAYMENTS TO MEMBERS OF THE ARMED FORCES RETIRED OR SEPARATED DUE TO A COMBAT-RELATED INJURY.

(a) PAYMENT REQUIRED.—
(1) IN GENERAL.—Chapter 17 of title 37, United States Code, is amended by inserting after section 903 the following new section:
“**§ 904. Continued payment of bonuses to members retired or separated due to combat-related injuries**

“(a) PAYMENT REQUIRED.—In the case of a member of the armed forces who is retired or separated for disability under chapter 61 of title 10, due to a combat-related injury, the Secretary of Defense shall require the continued payment to the member of any bonus described in subsection (b) that the member—

“(1) was entitled to immediately before the retirement or separation of the member; and

“(2) would continue to be entitled to if the member was not retired or separated.

“(b) COVERED BONUSES.—The bonuses referred to in subsection (a) are the following (numbers refer to the corresponding section in chapter 5 of this title):

“(1) 301b. Special pay for aviation career officers extending period of active duty.

“(2) 301d. Multiyear retention bonus for medical officers of the armed forces.

“(3) 301e. Multiyear retention bonus for dental officers of the armed forces.

“(4) 302d. Accession bonus for registered nurses.

“(5) 302h. Accession bonus for dental officers.

“(6) 302j. Accession bonus for pharmacy officers.

“(7) 302k. Accession bonus for medical officers in critically short wartime specialties.

“(8) 302l. Accession bonus for dental specialist officers in critically short wartime specialties.

“(9) 308. Reenlistment bonus.

“(10) 308b. Reenlistment bonus for members of the Selected Reserve.

“(11) 308c. Bonus for affiliation or enlistment in the Selected Reserve.

“(12) 308g. Bonus for enlistment in elements of the Ready Reserve other than the Selected Reserve.

“(13) 308h. Bonus for reenlistment, or voluntary extension of enlistment in elements of the Ready Reserve other than the Selected Reserve.

“(14) 308i. Prior service enlistment bonus.

“(15) 308j. Affiliation bonus for officers in the Selected Reserve.

“(16) 309. Enlistment bonus.

“(17) 312. Special pay for nuclear-qualified officers extending period of active duty.

“(18) 312b. Nuclear career accession bonus.

“(19) 312c. Nuclear career annual incentive bonus.

“(20) 315. Engineering and scientific career continuation pay.

“(21) 316. Bonus for members with foreign language proficiency.

“(22) 317. Special pay for officers in critical acquisition positions extending period of active duty.

“(23) 318. Special pay for special warfare officers extending period of active duty.

“(24) 319. Surface warfare officer continuation pay.

“(25) 321. Judge advocate continuation pay.

“(26) 322. 15-year career status bonus for members entering service on or after August 1, 1986.

“(27) 323. Retention incentives for members qualified in critical military skills or assigned to high priority units.

“(28) 324. Accession bonus for new officers in critical skills.

“(29) 326. Incentive bonus for conversion to military occupational specialty to ease personnel shortage.

“(30) 327. Incentive bonus for transfer between armed forces.

“(31) 329. Incentive bonus for retired members and reserve component members volunteering for high-demand, low-density assignments.

“(32) 330. Accession bonus for officer candidates.

“(c) TIME FOR PAYMENT.—A bonus required to be paid to a member under this section shall be paid to the member in a lump sum not later than 90 days after the date of the retirement or separation of the member, notwithstanding any terms to the contrary in the agreement under which the bonus was originally authorized.

“(d) COMBAT-RELATED INJURY DEFINED.—In this section, the term ‘combat-related injury’ means an injury—

“(1) for which the member was awarded the Purple Heart; or

“(2) that was incurred (as determined under criteria prescribed by the Secretary of Defense)—

“(A) as a direct result of armed conflict;

“(B) while engaged in hazardous service;

“(C) in the performance of duty under conditions simulating war; or

“(D) through an instrumentality of war.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 903 the following new item:

“**904. Continued payment of bonuses to members retired or separated due to combat-related injuries.**”

(b) CESSATION OF COLLECTION OF PREVIOUSLY PAID BONUSES.—Effective as of the date of the enactment, any collection of bonuses described in subsection (b) of section 904 of title 37, United States Code (as added by subsection (a) of this section), that were paid before the date of the enactment of this Act to members of the Armed Forces retired or separated under chapter 61 of title 10,

United States Code, for a combat-related injury (as defined in subsection (d) of such section 904) shall cease.

(c) RETROACTIVE PAYMENT OF BONUSES.—

(1) IN GENERAL.—The Secretary of Defense shall pay to each member of the Armed Forces retired or separated under chapter 61 of title 10, United States Code, for a combat-related injury (as defined in subsection (d) of section 904 of title 37, United States Code (as so added)) during the period beginning on September 11, 2001, and ending on the date of the enactment of this Act, an amount equal to the amount of any continued payment of bonus or bonuses to which such member would have been entitled at the time of retirement or separation under applicable provisions of such section 904 if such section 904 had been in effect as of September 11, 2001.

(2) AUDIT.—The Secretary shall identify the former members of the Armed Forces to be paid amounts under this subsection, and shall determine the amounts to be paid such members under this subsection, through a financial audit or such other mechanisms as the Secretary considers appropriate for purposes of this subsection.

MEASURE PLACED ON THE CALENDAR—S. 2483

Mr. REID. Madam President, I understand that S. 2483 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2483) to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes.

Mr. REID. Madam President, I object to any further proceedings with respect to this legislation.

The PRESIDING OFFICER. Objection is heard, and the bill is placed on the calendar under rule XIV.

EXECUTIVE SESSION

TAX CONVENTION WITH BELGIUM

PROTOCOL AMENDING TAX CONVENTION WITH GERMANY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 2 and 5, the Tax Convention With Belgium and the Protocol Amending the Tax Convention With Germany; that the Treaty and Protocol be advanced through their various parliamentary stages up to and including the presentation of the resolutions for ratification; and that there now be a division vote on the resolutions en bloc.

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

The treaty and protocol will be considered to have passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification.

The resolutions of ratification are as follows:

TREATIES

[Tax Convention with Belgium (Treaty Doc. 110-3); Protocol Amending Tax Convention with Germany (Treaty Doc. 109-20)]

The resolutions of ratification are as follows:

The Senate advises and consents to the ratification of the Convention between the Government of the United States of America and the Government of the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, and accompanying Protocol, signed at Brussels on November 27, 2006 (Treaty Doc. 110-3).

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the United States of America and the Federal Republic of Germany for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital and to Certain Other Taxes, signed at Berlin on June 1, 2006 and an Exchange of Notes dated August 17, 2006 (EC-2046) (Treaty Doc. 109-20).

The PRESIDING OFFICER. A division vote has been requested. The question is on the resolutions of ratification. Senators in favor of the ratification of the treaty and protocol, please rise.

Those opposed will rise and stand until counted.

In the opinion of the Chair, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification are agreed to.

Mr. REID. I ask unanimous consent that the motions to reconsider be laid upon the table and that the President be immediately notified of the Senate's action.

LEGISLATIVE SESSION

Mr. REID. I ask unanimous consent the Senate now return to legislative session.

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

Mr. REID. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDERS FOR MONDAY, DECEMBER 17, 2007

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Monday, December 17; that on Monday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day; that the Senate then resume the motion to proceed to S. 2248; with the time until 12 noon equally divided and controlled between the two leaders or

their designees, with Senator DODD controlling 35 minutes and Senator FEINGOLD controlling 15 minutes of the opponents' time.

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

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

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

AMENDING THE ARIZONA WATER SETTLEMENTS ACT

Mr. REID. I think this will be the last thing for this week.

I now ask unanimous consent the Committee on Indian Affairs be discharged from further consideration of H.R. 3739.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3739) to amend the Arizona Water Settlements Act to modify the requirements for the statement of findings.

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

Mr. REID. Before I ask this matter be completed, I want to say here is an example of cooperation between two Senators. Senators DORGAN and KYL have worked on this for some time. There were some problems that were initially identified, but they have been able to work through this. This is a very important piece of legislation for Senator KYL. For Senator DORGAN, it is an issue that is in his committee. I think it is terrific that this matter is done.

I now ask unanimous consent the bill be read a third time, passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (H.R. 3739) was ordered to a third reading, was read the third time, and passed.

ADJOURNMENT UNTIL MONDAY, DECEMBER 17, 2007, AT 10 A.M.

Mr. REID. I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 5:20 p.m., adjourned until Monday, December 17, 2007, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

DAVID J. KRAMER, OF MASSACHUSETTS, TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR, VICE BARRY F. LOWENKRON.

FEDERAL LABOR RELATIONS AUTHORITY

THOMAS M. BECK, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A