

Just last week, Ben Stocking, the Bureau Chief for the Associated Press in Hanoi, was beaten by Vietnamese security forces for photographing one such vigil. It is time for such behavior to stop.

The Boxer bill seeks to improve human rights in Vietnam by shifting the focus of U.S. non-humanitarian foreign aid to a comprehensive approach that does more to address human rights.

The bill specifically requires that any spending increase for U.S. non-humanitarian development, economic, trade, and security assistance to Vietnam be matched by additional funding for programs focusing on human rights, the rule of law, and democracy promotion.

To date, the majority of non-humanitarian U.S. assistance programs to Vietnam have focused on business, trade, and security, and have not effectively addressed human rights abuses.

In addition, the bill outlines objectives for U.S. diplomacy with Vietnam on human rights related issues and encourages Vietnam to release its religious and political prisoners.

The Boxer bill also prohibits Vietnam from having access to the U.S. Generalized System of Preferences, GSP, program until Vietnam improves its labor standards. The GSP program allows developing countries to import certain items into the U.S. duty-free.

While the 110th Congress will shortly come to an end, I wanted to introduce this legislation as a signal to the Vietnamese government that its record on human rights and recent behavior has not gone unnoticed. I intend to reintroduce this legislation very early in the 111th Congress.

Let me be clear. I support a strong bilateral relationship between Vietnam and the United States. But the Vietnamese government must dramatically improve its human rights record in order for our relationship to grow.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 701—HONORING THE LIFE OF MICHAEL P. SMITH

Ms. LANDRIEU submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 701

Whereas Michael P. Smith was an award-winning photographer nationally recognized for his work over 4 decades documenting the music, culture, and folklore of New Orleans and the State of Louisiana;

Whereas Michael P. Smith greatly influenced the understanding of New Orleans and Louisiana of people around the world;

Whereas Michael P. Smith's work captured and made accessible the environment, social structures, and neighborhoods that both create and sustain the musical traditions of New Orleans;

Whereas Michael P. Smith was born in Metairie, Louisiana, the son of a member of the Rex organization and the Boston Club,

was a star athlete, and graduated from Metairie Park Country Day School and Tulane University;

Whereas Michael P. Smith was the only person to photograph at every New Orleans Jazz & Heritage Festival since the festival began in 1970 until his retirement in 2004, when he was honored with a major grandstand exhibition and photo kiosks placed around the fairgrounds at the festival;

Whereas Michael P. Smith received 2 Photographer's Fellowships from the National Endowment for the Arts early in his career and his prints have toured worldwide through the United States Information Agency (USIA);

Whereas Michael P. Smith's work has been presented at the National Museum of American History, the International Center for Photography in New York, and the LeRoy Neiman Gallery at Columbia University, as well as numerous other museums, galleries, and jazz festivals in America and Europe;

Whereas Michael P. Smith's work is part of the permanent collections of the National Museum of American History in Washington, DC, the Metropolitan Museum of Art in New York, the Bibliothèque Nationale in Paris, the Louisiana State Museum, the Ogden Museum of Southern Art, and the New Orleans Museum of Art;

Whereas Michael P. Smith's work is represented in 5 photography books including "Spirit World: Pattern in the Expressive Folk Culture of African American New Orleans", "A Joyful Noise: A Celebration of New Orleans Music", "New Orleans Jazz Fest: A Pictorial History", "Jazz Fest Memories", and "Mardi Gras Indians", which is a visual and sociological history of the unique masking and musical traditions still alive in the older Black neighborhoods of New Orleans;

Whereas Michael P. Smith's photographs grace the covers of many compact discs and record albums, illustrate numerous books and magazine articles published in America and Europe, and are in continual demand for documentary films produced at home and abroad;

Whereas Michael P. Smith won numerous awards for his work, including the 2002 Lifetime Achievement Award from the Louisiana Endowment for the Humanities, the (New Orleans) Mayor's Arts Award, the Clarence John Laughlin Lifetime Achievement Award from the New Orleans chapter of the American Society of Magazine Photographers, and the Artist Recognition Award from the New Orleans Museum of Arts's Delgado Society;

Whereas Michael P. Smith was an original owner and a founder of Tipitina's, the iconic club that has featured, and continues to feature, the best and brightest of New Orleans music; and

Whereas Michael P. Smith is survived by a companion, Karen Louise Snyder, 2 daughters, Jan Lamberton Smith of Quail Springs, California, and Leslie Blackshear Smith of New Orleans, a brother, Joseph Byrd Hatchitt Smith of Port Angeles, Washington, and 2 grandchildren: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life of Michael P. Smith;

(2) recognizes Michael P. Smith for his invaluable contributions as a cultural archivist of New Orleans and Louisiana history and culture;

(3) recommits itself to ensuring that artists such as Michael P. Smith receive recognition for their creative and cultural endeavors; and

(4) extends condolences to his family on the death of this talented and beloved man.

SENATE CONCURRENT RESOLUTION 105—DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO CORRECT THE ENROLLMENT OF H.R. 6063

Mr. NELSON of Florida submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 105

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill H.R. 6063, an Act to authorize the programs of the National Aeronautics and Space Administration, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

In section 601(b)(2)(A)(iii) of the bill, strike "Orbiter".

In section 611(d)(1) of the bill, strike "first President" and insert "President".

In section 611(e)(3) of the bill, strike "correctly" and insert "currently".

In section 611(e)(7) of the bill, strike "extention" and insert "extension".

In section 612 of the bill, strike "operations" and insert "operational".

In section 1119 of the bill, strike "The Report" and insert "The report".

AMENDMENTS SUBMITTED AND PROPOSED

SA 5683. Mr. BINGAMAN (for Mr. DORGAN (for himself, Mr. BINGAMAN, Mr. AKAKA, Mr. HARKIN, Mr. FEINGOLD, Mrs. BOXER, Mr. BYRD, Mr. SANDERS, and Mrs. FEINSTEIN)) proposed an amendment to the bill H.R. 7081, to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes.

SA 5684. Mr. DODD (for Mr. PRYOR) proposed an amendment to the bill S. 602, to develop the next generation of parental control technology.

SA 5685. Mr. DODD proposed an amendment to the bill H.R. 1424, of 1974, section 2705 of the Public Health Service Act, section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, and for other purposes.

SA 5686. Mr. DODD proposed an amendment to the bill H.R. 1424, supra.

SA 5687. Mr. SANDERS proposed an amendment to amendment SA 5685 proposed by Mr. DODD to the bill H.R. 1424, supra.

SA 5688. Mr. DURBIN proposed an amendment to the bill S. 1703, to prevent and reduce trafficking in persons.

SA 5689. Mr. DURBIN (for Ms. COLLINS) proposed an amendment to the bill S. 3013, to provide for retirement equity for Federal employees in nonforeign areas outside the 48 contiguous States and the District of Columbia, and for other purposes.

SA 5690. Mr. DURBIN (for Mr. CORNYN (for himself and Mrs. FEINSTEIN)) proposed an amendment to the bill S. 3073, to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of absentee ballots of absent overseas uniformed services voters, and for other purposes.

SA 5691. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 1424, of 1974, section 2705 of the Public Health Service Act, section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, to prohibit discrimination on the basis of genetic information with

respect to health insurance and employment, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5683. Mr. BINGAMAN (for Mr. DORGAN (for himself, Mr. BINGAMAN, Mr. AKAKA, Mr. HARKIN, Mr. FEINGOLD, Mrs. BOXER, Mr. BYRD, Mr. SANDERS, and Mrs. FEINSTEIN)) proposed an amendment to the bill H.R. 7081, to approve the United States-India Agreement for Cooperation on Peaceful Uses of Nuclear Energy, and for other purposes; as follows:

At the end of title I, add the following:

SEC. 106. PROHIBITION OF NUCLEAR TRADE IN EVENT OF NUCLEAR WEAPON DETONATION BY INDIA.

Notwithstanding any other provision of law, the United States may not export, transfer, or retransfer any nuclear technology, material, equipment, or facility under the Agreement if the Government of India detonates a nuclear explosive device after the date of the enactment of this Act.

SEC. 107. CERTIFICATION, REPORTING, AND CONTROL REQUIREMENTS IN EVENT OF NUCLEAR WEAPON DETONATION BY INDIA.

In the event the Government of India detonates a nuclear weapon after the date of the enactment of this Act, the President shall—

(1) certify to Congress that no United States technology, material, equipment, or facility supplied to India under the Agreement assisted with such detonation;

(2) not later than 60 days after such detonation, submit to Congress a report describing United States nuclear related export controls that could be utilized with respect to countries that continue nuclear trade with India to minimize any potential contribution by United States exports to the nuclear weapons program of the Government of India; and

(3) fully utilize such export controls unless, not later than 120 days after such detonation, Congress adopts, and there is enacted, a joint resolution disapproving of the full utilization of such export controls.

SA 5684. Mr. DODD (for Mr. PRYOR) proposed an amendment to the bill S. 602, to develop the next generation of parental control technology; as follows:

On page 6, beginning in line 4, strike “TECHNOLOGIES,” and insert “TECHNOLOGIES AND EXISTING PARENTAL EMPOWERMENT TOOLS.”

On page 6, line 12, strike “and”.

On page 6, line 16, strike “offering,” and insert “offering; and”.

On page 6, between lines 16 and 17, insert the following:

“(3) the existence, availability, and use of parental empowerment tools and initiatives already in the market.”.

SA 5685. Mr. DODD proposed an amendment to the bill H.R. 1424, of 1974, section 2705 of the Public Health Service Act, section 9812 of the Internal Revenue Code of 1986 to require equity in the provision of mental health and substance-related disorder benefits under group health plans, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

DIVISION A—EMERGENCY ECONOMIC STABILIZATION

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This division may be cited as the “Emergency Economic Stabilization Act of 2008”.

(b) **TABLE OF CONTENTS.**—The table of contents for this division is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Purposes.
Sec. 3. Definitions.

TITLE I—TROUBLED ASSETS RELIEF PROGRAM

Sec. 101. Purchases of troubled assets.
Sec. 102. Insurance of troubled assets.
Sec. 103. Considerations.
Sec. 104. Financial Stability Oversight Board.

Sec. 105. Reports.
Sec. 106. Rights; management; sale of troubled assets; revenues and sale proceeds.

Sec. 107. Contracting procedures.
Sec. 108. Conflicts of interest.
Sec. 109. Foreclosure mitigation efforts.
Sec. 110. Assistance to homeowners.
Sec. 111. Executive compensation and corporate governance.

Sec. 112. Coordination with foreign authorities and central banks.
Sec. 113. Minimization of long-term costs and maximization of benefits for taxpayers.

Sec. 114. Market transparency.
Sec. 115. Graduated authorization to purchase.

Sec. 116. Oversight and audits.
Sec. 117. Study and report on margin authority.

Sec. 118. Funding.
Sec. 119. Judicial review and related matters.

Sec. 120. Termination of authority.
Sec. 121. Special Inspector General for the Troubled Asset Relief Program.

Sec. 122. Increase in statutory limit on the public debt.
Sec. 123. Credit reform.

Sec. 124. HOPE for Homeowners amendments.
Sec. 125. Congressional Oversight Panel.

Sec. 126. FDIC authority.
Sec. 127. Cooperation with the FBI.
Sec. 128. Acceleration of effective date.

Sec. 129. Disclosures on exercise of loan authority.
Sec. 130. Technical corrections.

Sec. 131. Exchange Stabilization Fund reimbursement.
Sec. 132. Authority to suspend mark-to-market accounting.

Sec. 133. Study on mark-to-market accounting.
Sec. 134. Recoupment.

Sec. 135. Preservation of authority.
Sec. 136. Temporary increase in deposit and share insurance coverage.

TITLE II—BUDGET-RELATED PROVISIONS

Sec. 201. Information for congressional support agencies.
Sec. 202. Reports by the Office of Management and Budget and the Congressional Budget Office.

Sec. 203. Analysis in President’s Budget.
Sec. 204. Emergency treatment.

TITLE III—TAX PROVISIONS

Sec. 301. Gain or loss from sale or exchange of certain preferred stock.
Sec. 302. Special rules for tax treatment of executive compensation of employers participating in the troubled assets relief program.

Sec. 303. Extension of exclusion of income from discharge of qualified principal residence indebtedness.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to immediately provide authority and facilities that the Secretary of the Treasury can use to restore liquidity and stability to the financial system of the United States; and

(2) to ensure that such authority and such facilities are used in a manner that—

(A) protects home values, college funds, retirement accounts, and life savings;

(B) preserves homeownership and promotes jobs and economic growth;

(C) maximizes overall returns to the taxpayers of the United States; and

(D) provides public accountability for the exercise of such authority.

SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on the Budget, and the Committee on Appropriations of the Senate; and

(B) the Committee on Financial Services, the Committee on Ways and Means, the Committee on the Budget, and the Committee on Appropriations of the House of Representatives.

(2) **BOARD.**—The term “Board” means the Board of Governors of the Federal Reserve System.

(3) **CONGRESSIONAL SUPPORT AGENCIES.**—The term “congressional support agencies” means the Congressional Budget Office and the Joint Committee on Taxation.

(4) **CORPORATION.**—The term “Corporation” means the Federal Deposit Insurance Corporation.

(5) **FINANCIAL INSTITUTION.**—The term “financial institution” means any institution, including, but not limited to, any bank, savings association, credit union, security broker or dealer, or insurance company, established and regulated under the laws of the United States or any State, territory, or possession of the United States, the District of Columbia, Commonwealth of Puerto Rico, Commonwealth of Northern Mariana Islands, Guam, American Samoa, or the United States Virgin Islands, and having significant operations in the United States, but excluding any central bank of, or institution owned by, a foreign government.

(6) **FUND.**—The term “Fund” means the Troubled Assets Insurance Financing Fund established under section 102.

(7) **SECRETARY.**—The term “Secretary” means the Secretary of the Treasury.

(8) **TARP.**—The term “TARP” means the Troubled Asset Relief Program established under section 101.

(9) **TROUBLED ASSETS.**—The term “troubled assets” means—

(A) residential or commercial mortgages and any securities, obligations, or other instruments that are based on or related to such mortgages, that in each case was originated or issued on or before March 14, 2008, the purchase of which the Secretary determines promotes financial market stability; and

(B) any other financial instrument that the Secretary, after consultation with the Chairman of the Board of Governors of the Federal Reserve System, determines the purchase of which is necessary to promote financial market stability, but only upon transmittal of such determination, in writing, to the appropriate committees of Congress.