

Commendation Medal with Combat Distinguishing Device "V," the Purple Heart, and the Bronze Star.

Specialist Abad's adoptive mother, Marilyn Popko, relates a tale of his heroism in his final moments that explains just how such a young man earned that many medals and more. At a memorial service for Sergio at Arlington National Cemetery, a friend and fellow soldier of Sergio's who was at the battle told her Sergio kept fighting even after taking hits to his arms and thigh. With his brother soldier there to reload his gun for him, Sergio kept firing until he finally succumbed to his wounds and could fight no more.

"It was his dream to be in the military, and he was living his dream when he was killed," Marilyn says.

Sergio was born and grew up in Florida. At the age of 7, he was removed from an abusive home and placed with relatives. By middle school, young Sergio had become part of not just one Florida family but two: the Popkos and the Pittses, both of whom already had children around his age.

"He would stay with us a while, then go to stay with Lori Pitts's family," Marilyn recalls.

Thanks to the support of the Popkos and Pittses, a child with an unhappy start in life received plenty of support and love. He called both Marilyn Popko and Lori Pitts "Mommy." Paul Pitts and Stephen Popko were both "Dad."

Growing up, Sergio participated in Junior ROTC and studied karate at a local martial arts studio. Sergio "was really athletic and could knock out hundreds of push-ups with no problem," says Marybeth Klock-Perez, who ran the studio where Sergio practiced. For someone who had "been dealt really unfair cards in life, he was absolutely never bitter. He never used excuses or acted like the world owed him."

COL Eddie Santana ran Sergio's Junior ROTC Program. He was "an outstanding young leader—very disciplined and committed," the colonel remembered. "He always knew what he wanted to do: join the Army."

Sergio traded the Sunshine State for the Bluegrass State in 2005 when he came to the Earle C. Clements Center in Morganfield, KY, to earn his GED. After he received it, he entered basic training at Fort Benning, GA, and then was stationed in Italy for a year with Company C, 2nd Battalion, 503rd Infantry.

"It was one of the best times he ever had," Marilyn Popko says. "He went to Germany, Switzerland, France. And he loved jumping out of airplanes."

Amidst all this adventure, Sergio also fell in love. He met Christina, and the two planned to marry in the summer of 2008. The wedding was to feature the music of Sergio's favorite singer, Frank Sinatra. Sadly, Sergio was killed before he could walk down the aisle and before he could welcome his and Christina's daughter, due this December, into the world. Christina "le-

gally changed her name to Abad so their daughter would have Sergio's name," Marilyn says. Sergio "died without knowing they were having a girl—he always wanted a daughter."

Sergio leaves behind many loved ones, and our thoughts are with them today. This includes members of both the Popko and Pitts families, including Marilyn, Stephen, and Catherine Popko, and Lori, Paul, Zachery, and Leo Pitts and Krystine Pitts Flagg, as well as Sergio's fiancée, Christina Abad, and their daughter, who will grow up knowing their father was a hero.

Everyone who knew and loved him should also know our Nation is honored to have men like SPC Sergio S. Abad defend our country. Today, this Senate honors him for his immense sacrifice and for his life of service.

Mr. President, I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The majority leader is recognized.

#### DRUG ENDANGERED CHILDREN ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1199 and the Senate proceed to its consideration; that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 1199) was ordered to a third reading, was read the third time, and passed.

#### EMMETT TILL UNSOLVED CIVIL RIGHTS CRIMES ACT OF 2007

Mr. REID. Mr. President, this is the Emmett Till unsolved crimes bill which has received so much notoriety. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I extend my appreciation to Senator COBURN for allowing us to complete these two bills.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I know under the previous order this side of the aisle has the time first, but I see the Senator from Oklahoma standing, and I wonder if he wanted to respond to the majority leader.

Mr. COBURN. I did.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senator from Oklahoma be allowed to speak, but that time not be taken out of the 1 hour set aside for the two sides of the aisle.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I wanted to thank the majority leader and to spend a few minutes talking about an individual who was key to—

Mr. REID. Would my friend withhold for a second? The staff said they didn't hear me read all this on Emmett Till, even though I did. They want me to do the whole thing all over again.

The ACTING PRESIDENT pro tempore. Without objection, the majority leader is recognized.

#### EMMETT TILL UNSOLVED CIVIL RIGHTS CRIME ACT OF 2007

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 237, H.R. 923.

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

The legislative clerk read as follows:

A bill (H.R. 923) to provide for the investigation of certain unsolved civil rights crimes, and for other purposes.

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

Mr. LEAHY. Mr. President, I am pleased that the Senate will unanimously pass the Emmett Till Unsolved Civil Rights Crime Act, H.R. 923, a bipartisan bill to provide critical tools and resources for the Department of Justice and FBI to expeditiously investigate and prosecute decades-old unsolved civil rights cold case crimes.

This bill overwhelmingly passed the House of Representatives last year and unanimously passed the Senate on two previous occasions, in the 108th and 109th Congresses. Its consideration in the Senate has been needlessly delayed due to a Republican objection. Finally, this bipartisan legislation will be sent to the President.

This legislation includes the Missing Child Cold Case Review Act, a critical measure which I sponsored last Congress. It allows inspectors general of Federal law enforcement agencies to authorize staff to provide much needed assistance to the National Center for Missing and Exploited Children—NCMEC—inactive case files. In order to bolster their efforts to solve these heart-wrenching cases, NCMEC needs the assistance and the cooperation of inspectors general. I am pleased that this legislation will help the men and women at NCMEC carry out this important mission.

The primary purpose of the Till bill is to track down those whose violent acts during a period of national turmoil remain unpunished. In 1955, the brutal murder of a 14-year-old African-American teenager named Emmett Till stirred the conscience of our country. No one has been punished for this tragic and brutal murder. Fifty-two years later, Emmett Till's family and the families of hundreds of other Americans who lost their lives in the fight for equal rights, still await justice.

Racially motivated violence during this turbulent time left a scar on the fabric of our democracy. Far too often, its goal was to divide communities and intimidate certain citizens from achieving full participation in our democracy and exercising their constitutional rights to vote, to travel, and to stay in a federally protected enclave, and, most often, the right to live where you please.

The Federal Government has traditionally been the guardian of last resort for our Nation's most vulnerable inhabitants. Yet sadly for much of our Nation's history, African-Americans and other citizens involved in civil rights activities were not protected in the full enjoyment of their rights. Indeed, as FBI Director Mueller acknowledged last year, "[m]any murders during the civil rights era were not fully investigated, were covered up or were misidentified as accidental death or disappearance." With the passage of the Till bill today, we once again acknowledge past governmental missteps and seek to right these wrongs.

The Till bill provides the necessary tools for the Federal Government, along with State and local officials, to investigate and prosecute civil rights decades-old unsolved crimes. First, the bill creates two new offices to investigate and prosecute these decades-old cold case crimes. Rather than creating a new unit or section within the Justice Department, the legislation allows precious Federal resources to be used by the FBI field offices and Federal prosecutors in the states where these prosecutions will occur.

Second, it will empower the Community Relations Service of the Department of Justice to work with local communities in identifying unsolved cases. In a similar vein, the bill also allows the Justice Department to issue grants to State and local law enforce-

ment agencies for investigation and prosecution of violations of State and local laws similar to Federal criminal civil rights statutes. Many Federal criminal civil rights prosecutions may be time-barred or face *ex post facto* concerns. Allowing Federal grants to State and local entities will allow for justice to prevail even where Federal law may be inadequate.

Third, the bill incorporates my recommended change to provide oversight over this initiative. Congress will be able to track how many cold cases were selected for further inquiry and how many were not. This change strengthens oversight and protects ongoing investigations from being compromised. In a February 2007 press conference, the Director of the FBI announced that the FBI and Justice Department would work with civil rights organizations to bring closure to decades-old unsolved civil rights crimes. Yet, just a few weeks ago, press reports indicated that the Justice Department and FBI have yet to prosecute a single case under the agency's cold case initiative already in place. This is further evidence that vigorous oversight is needed, and I hope this bill will help.

Although I am happy this bill has finally passed the full Senate, this non-controversial and bipartisan bill should not have taken several Congresses to pass. The Till bill was one of many bills that the majority leader included in S.3297, the Advancing America's Priorities Act. The majority leader selected three dozen legislative items from the jurisdiction of seven Senate committees, including eight Judiciary Committee bills, for this effort. These are all measures with bipartisan support and, we believe, the support of a strong bipartisan majority of the Senate. Each of these bills has the support of all Democratic Senators and had overwhelming support, but stalled on the Senate floor by Republican objection. Ensuring the civil rights of all Americans is a core American value, and I am disappointed that a single Republican objection prevented this bipartisan legislation from passing long ago by unanimous consent.

Our Nation should always be thankful to those who risked their lives fighting for civil rights. During the recent reauthorization of the Voting Rights Act, I was reminded that the lives of Medgar Evers, Vernon Dahmer, Michael Schwerner, Andrew Goodman, James Chaney, and countless others, demonstrate that ordinary persons can change the world. Three months ago, we commemorated the 44th anniversary of the deaths of Chaney, Schwerner, and Goodman. The sacrifice and courage of these Americans—many of whom gave their lives toiling for freedom—made our democratic ideals real, and continue to inspire future generations to fight for civil rights.

This important bill is long overdue. As each day passes evidence fades and witnesses age. We must have a sense of urgency. Justice cannot afford to wait.

Earlier this month, we witnessed an unfortunate example of the impact waiting too long to prosecute these cases can have on the administration of justice. Recently, the Fifth Circuit Court of Appeals overturned the conviction of former Klansman James Seale, who was charged with the 1963 abduction and killings of two African-American teenagers in Mississippi. At that time Mr. Seale committed the horrendous crimes a jury of his peers convicted him of, Congress had no statute of limitations on Federal kidnapping. I was disappointed that, in overturning his conviction, a court of appeals would misinterpret congressional intent and retroactively apply a procedural bar that we did not intend to apply to crimes that occurred almost a decade before.

I thank Senator DODD and my good friend Representative JOHN LEWIS for their leadership and hard work on this legislation. Representative LEWIS is a civil rights hero who courageously marched and fought for equal justice in America. I know this bill is important to him, and I am deeply appreciative of his tireless efforts on this important legislation. I also thank Senator COCHRAN for his support. Last year we traveled overseas together, and I know this bill is important to him and his State. I thank the majority leader for his leadership in advancing this legislation. I also appreciate the help of Senator BYRD in helping us move this bill through the Senate. Lastly, I thank the many civil rights and law enforcement organizations who have worked so hard to enact this legislation: the NAACP, the Southern Poverty Law Center, the Leadership Conference on Civil Rights, the Emmett Till Justice Campaign, the Lawyers Committee for Civil Rights under Law, the ACLU, the Fraternal Order of Police, and so many others.

In July, I had the honor to meet Simeon Wright, Emmett Till's cousin, who was with Mr. Till on the horrible night he was kidnapped. This bill will begin the process of seeking restorative justice for families, like Mr. Wright, who were victimized by these horrific crimes and so justice went undone for so many years. We could not pass this legislation today without their efforts. Mr. Wright, and so many others, should be congratulated for their courage and their commitment to fighting for justice for so many years.

With its passage, we take an important step towards finally bringing to justice individuals who committed heinous crimes against civil rights activists and African-American citizens. Equally important, we send an important message to all Americans about the depth of our commitment. We have made great progress in the last few decades towards achieving equal justice under law. The Unsolved Civil Rights Crimes Act brings us one step closer towards that important goal.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a

third time and passed, the motion to reconsider be laid upon the table and that any statements relating to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 923) was ordered to a third reading, was read the third time, and passed.

Mr. REID. So staff once again was right, and I was wrong.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Oklahoma is recognized.

Mr. COBURN. I thank my colleague from Florida for this short period of time to thank the majority leader for working in good faith on several of these bills.

There is a gentleman in this country by the name of Alvin Sykes. If you haven't met him, you should. He is what America is all about. He promised the mother of Emmett Till before she died that he would make sure there would be an investigation into the death of her son, her young son, as well as others who were never properly investigated to the extent they should have been.

We have wrangled a lot over this bill, and one of the reasons we have wrangled is because of the financial problem we find ourselves in today in this country. Begrudgingly, I have decided we could not, out of the waste of the Justice Department, get the Senate to concur that we should not spend additional money on it; that there is plenty of money. As a matter of fact, at the end of last year, there was \$1.7 billion in unexpended funds and unobligated funds at the Justice Department. They also have a tremendous track record of waste in terms of conferences and of poor management. Moreover, they are the only agency of the Federal Government that, unlike every other agency, the unobligated balances do not automatically go back to the Treasury. They get to spend the money.

So we have again failed to do the fiscally responsible thing. But I decided last night this is one of those rare exceptions when I can't convince the body that we ought to be more frugal. We could have accomplished the same thing with the funds over there, but the greater call was to allow this bill to pass.

But I wanted to tell you something about America with this bill, and it has to do with Alvin Sykes. If you met him, you would immediately fall in love with him. He is poor as a church mouse. He has led this group with integrity. He has been an honest broker. He has not played the first political game with anybody in Washington. As a matter of fact, he has had games played on him and he has been manipulated. But the fact is he has held true to his belief and his commitment to the mother of Emmett Till. And because of that, we are going to see this bill come into fruition.

I think that speaks so well about our country; that one person has truly

made a difference, and that one person is Alvin Sykes. I can't say enough about this individual. I can't say enough about his stamina, his integrity, his forthrightness, his determination. All of the qualities that have built this country this gentleman exhibited as he worked to keep a promise to the dying mother of Emmett Till. So I come to the floor now to sing his praises, to recognize him publicly for his tremendous efforts, and all those on his board have made in making this come to fruition.

I also wanted to spend a moment saying there is no reason why this body can't do something more aggressively in terms of protecting children in the midst of child pornography. We have the PROTECT Act, which cost \$372 million, and which could easily be paid for, but we won't pay for it. The fact is, as the bill is written today, nothing will happen until a year from now with that bill, even if we pass it, because we are not going to appropriate funds for it.

It is going to be like the Adam Walsh Act. We promised everybody we would do it, but have barely funded it at all. However, we could make a big difference with that by combining the PROTECT Act with the SAFE Act. The Justice Department has reiterated there are no fourth amendment concerns. The House passed the bill 390 to 2, and yet we have resistance—for political reasons, not for policy reasons—in bringing forth that bill.

I also thank the Democratic staff, who have worked so hard to clean that bill up to eliminate the objections. It is my hope that before we leave here this week, we will do something. The reason the SAFE Act is important is because it will do something the moment it is signed into law. Internet service providers will have to start reporting to the Government, to the National Center for Missing and Exploited Children, child porn sites and the people who are utilizing them and putting them up. The PROTECT Act won't do any of that, but the SAFE Act will. So my hope is that through the rest of the remaining days of this session we can come together and put politics aside and truly make a difference.

I talked to a Congressman from North Carolina two nights ago and he said there are 250 fathers who are filming sexual acts with little children and putting it on the Internet. The way you stop that is have the Internet service providers start reporting that to the FBI. And the fact we won't do that—for political reasons, not policy reasons—is a pox on us. That is in North Carolina alone. And not to pick on North Carolina, because it is the same in many other States. But that is a fact, and we know it is happening in other places. This is something where we can make a difference, and my hope is we can work that out.

I thank again the Senator from Florida for this time, and I yield the floor.

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

#### AVOIDING A DEPRESSION

Mr. NELSON of Florida. Mr. President, I wanted to speak to the Senate today about this enormous decision we must make about what to do about our current financial catastrophe.

We are in a recession. By any measure, we are in a recession. The question is we must ask today is: What can we do to prevent this recession slipping into a full-blown depression? That is the matter that is in front of the Senate. One way or another we are going to have to come to grips with this by the weekend, or have an understanding that we are going to come back next week and try to finish this.

What should be the underlying policy we pursue? Well, we ought to find ways to help stabilize the mortgage market that has caused this crisis. Let me quickly recapitulate what caused this financial mess. It was the fact that banks, and financial institutions acting as banks but not regulated as banks, started encouraging people to take loans on their homes which they could not afford.

All the checks and balances that regulations would have required these financial institutions ignored. They did not conduct their due diligence, and ask the practical questions: Did the people have a sufficient income stream to be able to afford their mortgage? Did they put some skin in the game, by having to put some money down on the house they were purchasing? Could they afford the interest rates and the other terms of that mortgage? Lenders and brokers weren't paying any attention to that. A whole bunch of these loans were granted by financial institutions, and sometimes they very aggressively pushed these loans on people who could not afford them.

Now, the banks don't keep these mortgages. They bundle them together and sell them to institutions as individual mortgages, or perhaps as bundles, or mortgage backed securities. And then different players in the financial institutions would buy these securities—made up of shaky, subprime mortgages and they would in turn sell them. A couple years later, when it became apparent that the homeowner couldn't afford to make the payments each month on their mortgage, and the income stream on those mortgages started dwindling, those financial institutions that had bought these bundles of mortgages found themselves with a shortage of cash. They had to start borrowing to make up for their cash shortage, and the whole system started to unravel.

So as we try to straighten out this mess, are we to do what the Secretary of the Treasury has said? Are we to provide almost three-quarters of a trillion dollars—specifically he is saying \$700 billion—in order to infuse capital into these financial institutions? These banks, investment banks, and insurance companies that all fed off this frenzy that saw this balloon get bigger and bigger until it started to burst?