

(2) A copy of the complaint shall be delivered promptly to the Secretary of the Senate and the Clerk of the House of Representatives.

(3) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(4) It shall be the duty of the United States District Court in which the action is brought and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(b) APPLICABILITY.—

(1) INITIAL CLAIMS.—With respect to any action initially filed on or before July 31, 2010, the provisions of subsection (a) shall apply with respect to each action described in such section.

(2) SUBSEQUENT ACTIONS.—With respect to any action initially filed after July 31, 2010, the provisions of subsection (a) shall not apply to any action described in such section unless the person filing such action elects such provisions to apply to the action.

SA 3296. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

SEC. ____ PROHIBITION ON UNFUNDED MANDATES.

Notwithstanding any other provision of this title (or an amendment made by this title), no State or locality shall be required to comply with a requirement of this title (or amendment) prior to the date on which funds are appropriated at the full authorized level as provided for in this Act (or an amendment made by this Act).

SA 3297. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ POINT OF ORDER.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a congressionally directed spending item, a limited tax benefit, or a limited tariff benefit, if a Senator, Member, Delegate, or Resident Commissioner has conditioned the inclusion of language to provide funding for a congressional directed spending item, a limited tax benefit, or a limited tariff benefit in any amendment, bill, or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by any Senator,

Member, Delegate, or Resident Commissioner.

(b) WAIVER.—The provisions of this section be waived or suspended only by the affirmative vote of two-thirds of the Members, present and voting.

(c) APPEALS.—Appeals from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the measure. An affirmative vote of two-thirds of the Members of the Senate, present and voting, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

NOTICE OF INTENT TO SUSPEND THE RULES

Mr. DEMINT. Mr. President, I submit the following notice in writing: In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend Rule XXII, Paragraph 2, for the purpose of proposing and considering the following amendment, including germaneness requirements:

At the appropriate place, insert the following:

SEC. ____ POINT OF ORDER.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a congressionally directed spending item, a limited tax benefit, or a limited tariff benefit, if a Senator, Member, Delegate, or Resident Commissioner has conditioned the inclusion of language to provide funding for a congressional directed spending item, a limited tax benefit, or a limited tariff benefit in any amendment, bill, or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by any Senator, Member, Delegate, or Resident Commissioner.

(b) WAIVER.—The provisions of this section be waived or suspended only by the affirmative vote of two-thirds of the Members, present and voting.

(c) APPEALS.—Appeals from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the measure. An affirmative vote of two-thirds of the Members of the Senate, present and voting, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

EXTENDING GENERALIZED SYSTEM OF PREFERENCES AND THE ANDEAN PREFERENCE ACT

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4284, received from the House and at the desk.

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

The clerk will state the bill by title. The bill clerk read as follows:

A bill (H.R. 4284) to extend the Generalized System of Preferences and the Andean Trade Preference Act, and for other purposes.

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

Mr. DODD. Mr. President, I ask unanimous consent that the bill be read the third time, passed, the motion to reconsider be laid upon the table, and that any statements on the bill be printed in the RECORD, with no intervening action.

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

The bill (H.R. 4284) was ordered to a third reading, read the third time, and passed.

COMMENDING THE SOLDIERS AND CIVILIAN PERSONNEL AT FORT GORDON

Mr. DODD. Mr. President, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration and the Senate now proceed to H. Con. Res. 206.

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

The clerk will report.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 206) commending the soldiers and civilian personnel stationed at Fort Gordon and their families for their service and dedication to the United States and recognizing the contributions of Fort Gordon to Operation Iraqi Freedom and Operation Enduring Freedom and its role as a pivotal communications training installation.

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

Mr. DODD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution was agreed to.

The preamble was agreed to.

CONDEMNING THE GOVERNMENT OF IRAN

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 386, submitted earlier today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 386) condemning the Government of Iran for restricting and suppressing freedom of the press, freedom of speech, freedom of expression, and freedom of assembly, and for its human rights abuses, and for other purposes.

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

Mr. DODD. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 386) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 386

Whereas hundreds of thousands of Iranian citizens have engaged in peaceful protest since the June 12, 2009, presidential election in Iran;

Whereas the Government of Iran has responded to these protests with a concerted campaign of intimidation, repression, and violence, including human rights abuses against Iranian citizens;

Whereas there have been numerous allegations of torture, rape, imprisonment, and violence perpetrated against Iranian citizens by the Government of Iran since the June 12 elections;

Whereas the Government of Iran has sought to restrict and suppress the legitimate right of the people of Iran to exercise freedom of speech, freedom of expression, freedom of assembly, and freedom of the press;

Whereas the Government of Iran has monitored, controlled, and censored access to the Internet, and has conducted a campaign of harassment and intimidation through the electronic media;

Whereas Freedom House assesses Internet and digital media in Iran as “Not Free,” and characterizes the Government of Iran as wielding “one of the world’s most sophisticated apparatuses for controlling the internet and other digital technologies”;

Whereas the Government of Iran is engaged in a range of activities that interfere with, or infringe upon, the right of the people of Iran to access accurate, independent news and information;

Whereas, according to Amnesty International, the Government of Iran has banned several newspapers, including Farhang-e Ashti, Arman-e Ravabet-e Omomi, Tahlil-e Rooz, and Sarmayeh;

Whereas the Government of Iran has harassed, arrested, detained, imprisoned, and assaulted numerous Iranian and foreign journalists, publishers, editors, photographers, cameramen, and bloggers;

Whereas the Government of Iran has prohibited Iranian and non-Iranian news services from distributing reports in Farsi;

Whereas the Government of Iran has revoked and temporarily suspended the accreditation of foreign journalists to report on current events and news developments in Iran;

Whereas the Government of Iran has interrupted short message service (SMS), preventing text message communications and blocking Internet sites that utilize such services;

Whereas the Government of Iran has partially jammed shortwave and medium wave transmissions of Radio Farda, the Persian language service of Radio Free Europe/Radio Liberty;

Whereas the Government of Iran has intermittently jammed satellite broadcasts by Radio Farda, the Voice of America’s Persian News Network (PNN), the British Broadcasting Corporation (BBC), and other non-Iranian government news services;

Whereas the Government of Iran has blocked Web sites and blogs, including social networking, content-sharing, and blogging sites, such as Facebook, Twitter, YouTube, Orkut, Blogger, and Persianblog;

Whereas the Government of Iran has targeted, blocked, and limited Internet connections and mobile network access to thwart communication in advance of planned demonstrations, and has seized mobile phones

that were used to film or document the demonstrations;

Whereas the Government of Iran has monitored online activities of Iranians and threatened them and their families with punitive action, including citizens of Iran and Iranian-Americans living in the United States and elsewhere overseas;

Whereas, in November 2009, the police forces of the Government of Iran formed a special unit to monitor websites and “Internet crimes,” including political offenses;

Whereas the Victims of Iranian Censorship Act (subtitle D of title XII of Public Law 111-84), which was signed into law on October 28, 2009, stipulates that “it shall be the policy of the United States to encourage the development of technologies, including Internet Web sites, that facilitate the efforts of the Iranian people to gain access to and share accurate information and exercise freedom of speech, freedom of expressions, freedom of assembly, and freedom of the press, through the Internet or other electronic media”;

Whereas on December 10, 2009, President Barack Obama affirmed in his statement accepting the Nobel Peace Prize, “We will bear witness to the quiet dignity of reformers...to the hundreds of thousands who have marched silently through the streets of Iran. It is telling that the leaders of these governments fear the aspirations of their own people more than the power of any other nation. And it is the responsibility of all free people and free nations to make clear to these movements that hope and history are on their side.”

Whereas, on December 18, 2009, the United Nations General Assembly passed a resolution calling on the Government of Iran to respect its human rights obligations, including its obligations under its own constitution as well as those of international human rights law; and

Whereas, on December 18, 2009, the Department of State issued a statement welcoming the passage of the United Nations resolution which stated, “The resolution, first adopted last month by the UN Third Committee, expresses deep concern over the brutal response of Iranian authorities to peaceful demonstrations in the wake of the June 12 election...Those in Iran who are trying to exercise their universal rights should know that their voices are being heard.”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the right of the people of Iran to peacefully express their voices, opinions, and aspirations, despite intimidation, repression, and violence;

(2) condemns the human rights abuses committed by the Government of Iran against Iranian citizens;

(3) condemns the efforts of the Government of Iran to restrict and suppress freedom of the press, freedom of speech, freedom of expression, and freedom of assembly;

(4) condemns online censorship, monitoring, intimidation, and harassment conducted by the Government of Iran, including threats against citizens of Iran and Iranian-Americans living in the United States;

(5) condemns an atmosphere of impunity in Iran for those who employ censorship, intimidation, harassment, or violence to restrict and suppress freedom of speech, freedom of expression, freedom of assembly, and freedom of the press;

(6) condemns the Government of Iran for violating the International Covenant on Civil and Political Rights, done at New York December 16, 1966, and entered into force March 23, 1976, which has been ratified by Iran and states, “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writ-

ing or in print, in the form of art, or through any other media of his choice.”;

(7) welcomes the decision made by the Department of State on December 15, 2009, to foster and support the free flow of information to Iranian citizens by recommending that the Department of the Treasury’s Office of Foreign Assets Control (OFAC) issue a general license that would authorize downloads of free mass market software to Iran necessary for the exchange of personal communications or sharing of information or both over the Internet as deemed “essential to the national interest of the United States”; and

(8) urges the implementation of the Victims of Iranian Censorship Act (subtitle D of title XII of Public Law 111-84).

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, as amended, appoints the following Senator as a delegate of the U.S.-China Interparliamentary Group conference during the 111th Congress: The Honorable MICHAEL ENZI of Wyoming.

The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, as amended, appoints the following Senator as a delegate of the U.S.-China Interparliamentary Group conference during the 111th Congress: the Honorable ROLAND BURRIS of Illinois.

Mr. DODD. Mr. President, I yield the floor.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:45 a.m. tomorrow.

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, December 23, 2009, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

J. MICHELLE CHILDS, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE GEORGE ROSS ANDERSON, JR., RETIRED.

RICHARD MARK GERGEL, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE HENRY M. HERLONG, JR., RETIRED.

DEPARTMENT OF JUSTICE

WILLIAM N. NETTLES, OF SOUTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE WILLIAM WALTER WILKINS, III.

KELVIN CORNELIUS WASHINGTON, OF SOUTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE JOHNNY MACK BROWN.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS COMMANDANT OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 44:

To be admiral

VICE ADM. ROBERT J. PAPP, JR.