

I was struck by a report in yesterday morning's New York Times that an unemployed meat plant worker took an 18-hour train ride from his far-flung province to show solidarity outside of the courthouse in Beijing. The worker said he had never met Mr. Liu, but that they had exchanged emails.

He also said proudly that he had signed "Charter 08" and pulled out a copy of it from his backpack and handed it to a courthouse official. The worker's intent was clear: "I am not afraid. I love China. I just want my country to have freedom and human rights."

The trial of Mr. Liu is a sad milestone that has further diminished hopes that China's economic rise would bring about significant political and legal reforms. During the past year, as the Congressional-Executive Commission on China's reporting has shown, the government has tightened restrictions on the Internet, harassed the country's human rights lawyers, and jailed muckrakers, working with grieving parents, blamed shoddy school construction for the deaths of thousands of children during the 2008 Sichuan earthquake.

We will learn the court's verdict and its jail sentence for Mr. Liu on Christmas Day. I call on China's leaders to demonstrate compassion and genuine commitment, not just in words but in deeds, to the rule of law and fundamental rights by dismissing the case against Mr. Liu. In doing so, the Chinese Government would be recognizing the serious procedural flaws that have taken place in this case. It would also signal to the rest of the world that the Chinese Government is committed to developing the rule of law and upholding international human rights standards.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting nominations which were referred to the Committee on the Judiciary.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

##### Enrolled Bills Signed

At 9:52 a.m., a message from the House of Representatives, delivered by Ms. Miller, the Clerk of the House, announced that the Speaker pro tempore (Mr. HOYER) has signed the following enrolled bills:

H.R. 3819. An act to extend the commercial space transportation liability regime.

H.R. 4314. An act to permit continued financing of Government operations.

The enrolled bills were subsequently signed by the Vice President (Mr. BIDEN).

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1147. An act to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service; to the Committee on Commerce, Science, and Transportation.

H.R. 2489. An act to authorize a national cooperative geospatial imagery program through the United States Geological Survey to promote use of remote sensing data; to the Committee on Commerce, Science, and Transportation.

H.R. 3224. An act to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a vehicle maintenance building at the vehicle maintenance branch of the Smithsonian Institution located in Suitland, Maryland, and for other purposes; to the Committee on Rules and Administration.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 3961. An act to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration.

H.R. 4154. An act to amend the Internal Revenue Code of 1986 to repeal the new carryover basis rules in order to prevent tax increases and the imposition of compliance burdens on many more estates than would benefit from repeal, to retain the estate tax with a \$3,500,000 exemption, to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN (for himself, Mr. WARNER, Mr. WEBB, and Ms. MIKULSKI):

S.J. Res. 25. A joint resolution granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INOUE (for himself, Mr. REID, and Mr. AKAKA):

S. Res. 387. A resolution urging the people of the United States to observe Global Family Day and One Day of Peace and Sharing on January 1, 2010; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 619

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 619, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 1076

At the request of Mr. DODD, his name was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 387—URGING THE PEOPLE OF THE UNITED STATES TO OBSERVE GLOBAL FAMILY DAY AND ONE DAY OF PEACE AND SHARING ON JANUARY 1, 2010

Mr. INOUE (for himself, Mr. REID, and Mr. AKAKA) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 387

Whereas in 2009, the people of the world suffered many calamitous events, including devastation from tsunamis, terror attacks, wars, famines, genocides, hurricanes, earthquakes, political and religious conflicts, diseases, poverty, and rioting, all necessitating global cooperation, compassion, and unity previously unprecedented among diverse cultures, faiths, and economic classes;

Whereas grave global challenges in 2010 may require cooperation and innovative problem-solving among citizens and nations on an even greater scale;

Whereas on December 15, 2000, Congress adopted Senate Concurrent Resolution 138, expressing the sense of Congress that the President of the United States should issue a proclamation each year calling upon the people of the United States and interested organizations to observe an international day of peace and sharing at the beginning of each year;

Whereas in 2001, the United Nations General Assembly adopted Resolution 56/2, which invited "Member States, intergovernmental and non-governmental organizations and all the peoples of the world to celebrate One Day in Peace, 1 January 2002, and every year thereafter";

Whereas many foreign heads of State have recognized the importance of establishing Global Family Day, a special day of international unity, peace, and sharing, on the first day of each year; and

Whereas family is the basic structure of humanity, thus, we must all look to the stability and love within our individual families

to create stability in the global community: Now, therefore, be it

*Resolved*, That the Senate urgently requests—

(1) the people of the United States to observe Global Family Day and One Day of Peace and Sharing on January 1, 2010, with appropriate activities stressing the need—

(A) to eradicate violence, hunger, poverty, and suffering; and

(B) to establish greater trust and fellowship among peace-loving countries and families everywhere; and

(2) American businesses, labor organizations, and faith and civic leaders to join in promoting appropriate activities for Americans and in extending appropriate greetings from the families of the United States to families in the rest of the world.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3298. Mr. REID proposed an amendment to the bill H.R. 3590, entitled The Patient Protection and Affordable Care Act.

#### TEXT OF AMENDMENTS

**SA 3298.** Mr. REID proposed an amendment to the bill H.R. 3590, entitled The Patient Protection and Affordable Care Act, as follows:

Amend the title so as to read "An act entitled The Patient Protection and Affordable Care Act".

#### ORDER FOR NOMINATIONS RECEIVED

Mr. CARDIN. As in executive session, I ask unanimous consent that all the nominations received by the Senate during the 111th Congress, first session, remain in status quo, notwithstanding the December 24, 2009, adjournment of the Senate, and that the provisions of rule XXXI, paragraph 6, of the Standing Rules of the Senate, with the following exceptions: PN1119, COL David Teeples; Calendar No. 32, Dawn Johnsen; Calendar No. 205, Mary Smith; Calendar No. 312, Christopher Schroeder; Calendar No. 488, Edward Chen; Nos. 491 and 492, Craig Becker, and Calendar No. 579, Louis Butler.

The PRESIDING OFFICER (Mr. PRYOR). Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. CARDIN. Mr. President, I ask unanimous consent the Senate proceed to executive session to consider en bloc Executive Calendar Nos. 264, 280, 303, 315, 429, 478, 489, 490, 582, 583, 584, 585, 586, 587, 593, 594, 595, 596, 597, 598, 599, 600, 601, 611, 612, 613, 621, 624, 626, 632, 633, 634, 635, 636, 637, 638, 639 and all nominations on the Secretary's Desk in the Coast Guard, Foreign Service, and NOAA; the nominations be confirmed en bloc, the motions to reconsider be laid on the table en bloc; that no further motions be in order; that any statements relating to the nomina-

tions be printed in the RECORD, and the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER (Mr. KIRK). Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### ENVIRONMENTAL PROTECTION AGENCY

Paul T. Anastas, of Connecticut, to be an Assistant Administrator of the Environmental Protection Agency.

Robert Perciasepe, of New York, to be Deputy Administrator of the Environmental Protection Agency.

#### EXECUTIVE OFFICE OF THE PRESIDENT

Miriam E. Sapiro, of the District of Columbia, to be a Deputy United States Trade Representative, with the rank of Ambassador.

#### DEPARTMENT OF STATE

Thomas Alfred Shannon, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil.

Alan D. Solomont, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to Andorra.

#### FEDERAL ENERGY REGULATORY COMMISSION

John R. Norris, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2012, vice Joseph Timothy Kelliher.

#### THE JUDICIARY

Dolly M. Gee, of California, to be United States District Judge for the Central District of California.

Richard Seeborg, of California, to be United States District Judge for the Northern District of California.

#### DEPARTMENT OF JUSTICE

Sharon Jeanette Lubinski, of Minnesota, to be United States Marshal for the District of Minnesota for the term of four years.

Mary Elizabeth Phillips, of Missouri, to be United States Attorney for the Western District of Missouri for the term of four years.

Sanford C. Coats, of Oklahoma, to be United States Attorney for the Western District of Oklahoma for the term of four years.

Stephen James Smith, of Georgia, to be United States Marshal for the Southern District of Georgia for the term of four years.

#### DEPARTMENT OF COMMERCE

Scott Boyer Quehl, of Pennsylvania, to be Chief Financial Officer, Department of Commerce.

Scott Boyer Quehl, of Pennsylvania, to be an Assistant Secretary of Commerce.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Rajiv J. Shah, of Washington, to be Administrator of the United States Agency for International Development.

#### DEPARTMENT OF STATE

Mary Burce Warlick, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Serbia.

James B. Warlick, Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the

United States of America to the Republic of Bulgaria.

Eleni Tsakopoulos Kounalakis, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Hungary.

Leslie V. Rowe, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mozambique.

Alberto M. Fernandez, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Equatorial Guinea.

Mary Jo Wills, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Seychelles.

Anne Slaughter Andrew, of Indiana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Costa Rica.

David Daniel Nelson, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Oriental Republic of Uruguay.

#### DEPARTMENT OF JUSTICE

Richard G. Callahan, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

John Gibbons, of Massachusetts, to be United States Marshal for the District of Massachusetts for the term of four years.

John Leroy Kammerzell, of Colorado, to be United States Marshal for the District of Colorado for the term of four years.

#### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Adele Logan Alexander, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2014.

#### DEPARTMENT OF EDUCATION

Lynnae M. Rutledge, of Washington, to be Commissioner of the Rehabilitation Services Administration, Department of Education.

#### DEPARTMENT OF HOMELAND SECURITY

Grayling Grant Williams of Maryland, to be Director of the Office of Counterterrorism Enforcement, Department of Homeland Security.

#### FEDERAL MARITIME COMMISSION

Michael A. Khouri, of Kentucky, to be a Federal Maritime Commissioner for a term expiring June 30, 2011.

#### DEPARTMENT OF TRANSPORTATION

David L. Strickland, of Georgia, to be Administrator of the National Highway Traffic Safety Administration.

#### IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203:

*To be rear admiral*

Rear Adm. (lh) Steven E. Day

#### DEPARTMENT OF JUSTICE

Mark Anthony Martinez, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years.

Michael W. Cotter, of Montana, to be United States Attorney for the District of Montana for the term of four years.